

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Grace Gilchrist Knie, Circuit Court Judge

RECEIVED

DEC 31 2018

DEANDRE TYSHUN FOSTER,

S.C. SUPREME COURT

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001560

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT
OF CERTIORARI AND APPENDIX

Counsel for Deandre Tyshun Foster respectfully requests an extension of thirty (30) days in which to file the Petition for Writ of Certiorari and Appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The Petition for Writ of Certiorari and Appendix are due to be served and filed with the Court today.

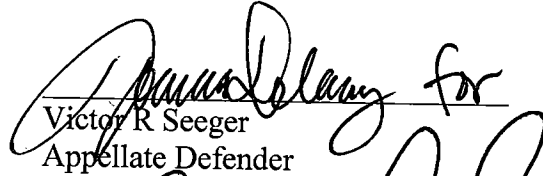
2. Counsel for Deandre Tyshun Foster respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

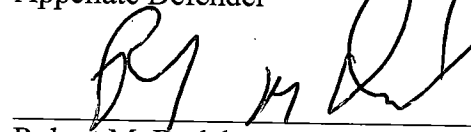
3. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Alexander Maldonado Coreano v. The State with this Court on December 17, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Billy L. Alford v. The State with this Court on December 17, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Orin Jerrell Kemp with the Court of Appeals on December 7, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Richard Lanard Sprinkle Mavins v. The State with this Court on December 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Sean L. Stroman with the Court of Appeals on November 26, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Joseph Goodrich with the Court of Appeals on November 21, 2018. Counsel filed the Petition for Writ of Certiorari and the accompanying appendix in the case of Timothy Johnson v. The State with this Court on November 19, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Dominique J. Shumate v. The State with this Court on November 14, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Edward L. Morris v. The State with this Court on November 9, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Nelson Sentelle Cook with the Court of Appeals on October 31, 2018. Counsel filed the Petition for Writ of Certiorari with the appendix in the case of Larry James Tyler v. The State with the Court of Appeals on October 31, 2018.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,


Victor R. Seeger
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

This 31st day of December, 2018.

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Spartanburg County
Grace Gilchrist Knie, Circuit Court Judge

DEANDRE TYSHUN FOSTER,

PETITIONER

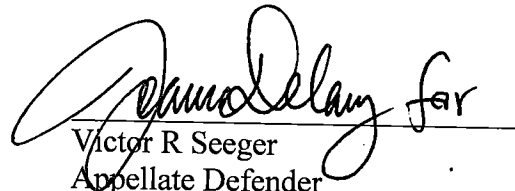
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

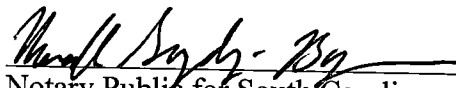
I certify that a copy of the Motion for an Extension of Time in which to file the Petition for Writ of Certiorari and Appendix in the above referenced case has been served upon Jordan Cox, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia SC 29201, this 31st day of December, 2018.



Victor R Seeger
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 31st day of December, 2018.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 26, 2028.