

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Paul M. Burch, Circuit Court Judge

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RECEIVED

DEC 31 2018

ROBERT J. PHIPPS,

S.C. SUPREME COURT

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001548

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

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Counsel for Robert J. Phipps respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and accompanying 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 accompanying appendix are due to be served and filed with the Court today.

2. Counsel for Robert J. Phipps 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 her caseload, counsel hopes that no further extension requests will be required.

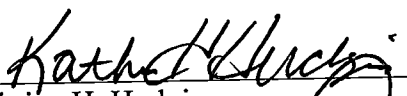
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John F. Kennedy v. The State of South Carolina with the Supreme Court on December 31, 2018. Counsel filed the brief of petitioner in the case of Kristopher Wilmont Berry v. The State of South Carolina with the Supreme Court on December 14, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tarus Tramaine Henry, Sr. v. The State of South Carolina with the Supreme Court on December 12, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony G. Linton v. The State of South Carolina with the Supreme Court on December 11, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eddie Ballenger v. The State of South Carolina with the Supreme Court on December 5, 2018. Counsel had an oral argument in the case of The State of South Carolina v. Michael Gentile before the Supreme Court on November 29, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Raeford Derrane Wideman with the Court of Appeals on November 28, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Eddie Bailey v. The State of South Carolina with the Supreme Court on November 26, 2018. Counsel filed the brief of petitioner in the case of Kevin Shane Epting v. The State of South Carolina with the Supreme Court on November 21, 2018. Counsel filed the brief of petitioner in the case of The State of South Carolina v. Terry Williams with the Supreme Court on November 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alexander B. Wilson, Jr. v. The State of South Carolina with the Supreme Court on November 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy L. Frady v. The State of South Carolina with the Supreme Court on November 15, 2018. Counsel filed the Anders brief

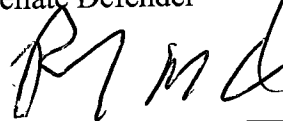
of appellant and designation of matter in the case of The State of South Carolina v. Erick Maurice Willard with the Court of Appeals on November 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Henry Kevin Grant with the Court of Appeals on November 7, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Gene Martin v. The State of South Carolina with the Supreme Court on November 5, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Jerome Heyward v. The State of South Carolina with the Supreme Court on November 2, 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 accompanying appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
Kathrine H. Hudgins  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

This 31<sup>st</sup> day of December, 2018.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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ROBERT J. PHIPPS,

PETITIONER

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STATE OF SOUTH CAROLINA,

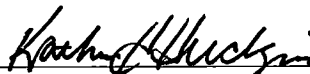
RESPONDENT

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CERTIFICATE OF SERVICE

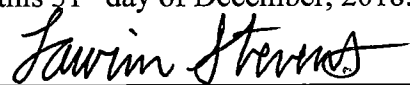
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I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Jordan Cox, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 31st day of December, 2018.

  
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Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 31<sup>st</sup> day of December, 2018.

 (L.S.)  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: July 5, 2027.