

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Florence County

Honorable Michael G. Nettles, Circuit Court Judge

RECEIVED
JAN 07 2019

S.C. SUPREME COURT

WILLIE T. BYRD,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001296

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

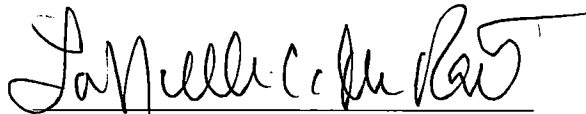
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Wilbert Franklin Jr. v. State in the Supreme Court on December 19, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Tyrone Deangelo

Fleming in the Court of Appeals on December 5, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Kairon Brenton Maldonado v. State in the Supreme Court on December 5, 2018. Counsel was a guest speaker at the Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Ashley Hammitt in the Court of Appeals on November 26, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Thomas Tiedemann v. State in the Supreme Court on November 26, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Carlon Eugene Weathers, Jr. in the Court of Appeals on November 20, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Allen Johnson v. State in the Supreme Court on November 20, 2018. Counsel filed the brief of appellant pursuant to White v. State in the case of State v. Harry James Roller in the Supreme Court on November 14, 2018. Counsel filed the petition for writ of certiorari, accompanying appendix and supplemental appendix in the case of Harry Roller James v. State in the Supreme Court on November 14, 2018. Counsel filed the Johnson petition and accompanying appendix in the case of Joe Louis Bailey v. State in the Supreme Court on November 13, 2018. Counsel had an oral argument in the case of In the Interest of: Jairus J. V. before the Court of Appeals on November 7, 2018.

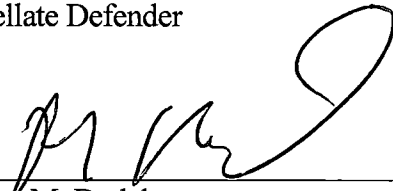
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. DuRant
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 7, 2019

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Florence County

Honorable Michael G. Nettles, Circuit Court Judge

WILLIE T. BYRD,

PETITIONER,

V.

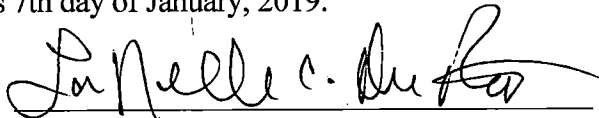
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001296

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Samuel Key, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 7th day of January, 2019.



LaNelle C. DuRant
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 7th day of January, 2019.



(L.S.)
Notary Public for South Carolina

My Commission Expires: September 27, 2028.