

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Marion County
Thomas A. Russo, Circuit Court Judge

JOSHUA LEE PHILLIPS,

V.

STATE OF SOUTH CAROLINA,

**ORIGINAL
RECEIVED**
JAN 14 2019
S.C. SUP
PETITION SUPREME COURT

RESPONDENT

APPELLATE CASE NO. 2018-000476

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

Counsel for Joshua Lee Phillips 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 Joshua Lee Phillips 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.

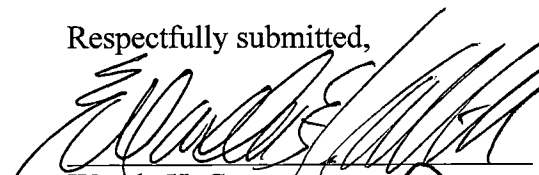
3. Counsel filed the brief of petitioner in the case of Erick Hernandez v. State in the Court of Appeals on January 11, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Mary N. Patrick in the Court of Appeals on January 11, 2019. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of State v. Corey Andrew Brown in the Supreme Court on January 7, 2019. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of State v. Joe Ross Worley in the Supreme Court on January 7, 2019. Counsel filed the brief of petitioner in the case of State v. Billy Phillips in the Supreme Court on January 2, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jason D. Compton v. State in the Supreme Court on December 28, 2018. Counsel filed the petition for rehearing in the case of State v. Theia Darion McArdle in the Court of Appeals on December 20, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Justin Andrew Serva in the Court of Appeals on December 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Cameron L. Kelley v. State in the Supreme Court on December 10, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Christopher Walker v. State in the Supreme Court on December 10, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Henry Antonio Burgess v. State in the Supreme Court on December 5, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Johnny Ray Wilkins v. State in the Supreme Court on December 5, 2018. Counsel had an oral argument in the case of State v. Rhajon Sanders in the Court of Appeals on December 3, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brandon Schmaus v. State in the

Supreme Court on November 29, 2018. Counsel attended the reconstruction hearing in the case of Christopher Hampton v. State held in York County on November 26, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David W. Chiles, Jr. v. State in the Supreme Court on November 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jamaad Dreqwan Thomas v. State in the Supreme Court on November 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Charles Benjamin Proffitt, Jr. v. State in the Supreme Court on November 14, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Craig Austin Livingston v. State in the Supreme Court on November 14, 2018.

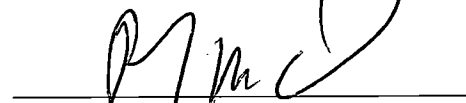
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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,



Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 14th day of January, 2019.

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IN THE SUPREME COURT

Certiorari to Marion County
Thomas A. Russo, Circuit Court Judge

JOSHUA LEE PHILLIPS,

PETITIONER

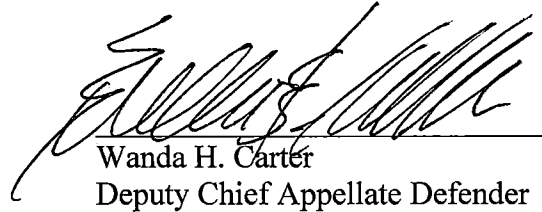
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

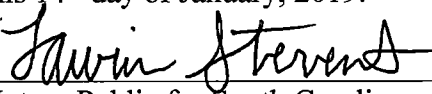
I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Lindsey McCallister, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201, this 14th day of January, 2019.



Wanda H. Carter
Deputy Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 14th day of January, 2019.

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