

RECEIVED
JAN 18 2019
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Berkeley County

Jean H. Toal, Circuit Court Judge

DAVID LEON STEPHENS,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001168

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

Counsel respectfully requests a **final extension of thirty (30) days until February 19, 2019**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court today.
2. Counsel 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 will file the petition for writ of certiorari and accompanying appendix in the case of Demossio Valentine v. State with this Court on January 18, 2019. Counsel filed the brief of petitioner in the case of Eric Spratt v. The State on January 9, 2019 with the Court of Appeals. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Joseph Chappell with the Court of Appeals on January 7, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lavonte Fabor v. State with this Court on December 28, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Christopher Cobb v. State with this Court on December 21, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Hart with the Court of Appeals on December 17, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Cliston Bellamy v. State with this Court on December 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kraig Anderson with the Court of Appeals on December 3, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Kristy Rich v. State with this Court on November 26, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Devin Sims v. State with this Court on November 26, 2018. Counsel filed the petition for rehearing in the case of The State v. Dajlia Torbit with the Court of Appeals on November 21, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Efrain Rivera v. State with this Court on November 21, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Sasha Thomas v. State with this Court on November 20, 2018.

4. Counsel makes this request in good faith and not for purpose 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.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

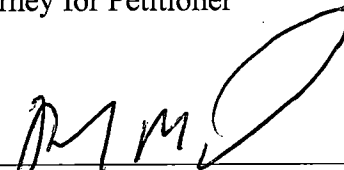
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until February 19, 2019**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Taylor Gilliam
Appellate Defender

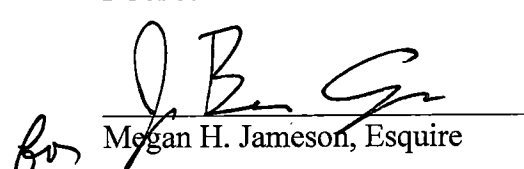
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 18th day of January, 2019.

I Consent:



Megan H. Jameson, Esquire