

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenwood County
J. Mark Hayes, Circuit Court Judge

WAYNE MICHAEL SMITH,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001169

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

Counsel for Wayne Michael Smith respectfully requests a **final thirty (30) day extension, until February 18, 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 are due to be served and filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Wayne Michael Smith respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 in the case of Dyeshawn Foster v. The State of South Carolina with the Court of Appeals on January 18, 2019. Counsel filed the petition for rehearing in the case of The State of South Carolina v. James Bubba Patterson with the Court of Appeals on January 18, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Michael Tyrone Quarles with the Court of Appeals on January 14, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leon M. Davis v. The State of South Carolina with the Supreme Court on January 11, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Jarod Tarrell Bostick with the Court of Appeals on January 7, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Fitzgerald 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.


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 as shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until February 18, 2019**, 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 be held in abeyance pending a ruling on this motion.

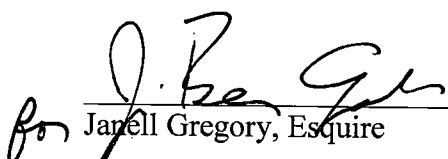
This 18th day of January, 2019.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

I consent:


for Jarrell Gregory, Esquire