

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_
Certiorari to Horry County

Honorable Brooks P. Goldsmith, Circuit Court Judge
\_\_\_\_\_

RECEIVED
FEB 01 2019
S.C. SUPREME COURT

CHRISTOPHER EVON SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001822
\_\_\_\_\_

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.

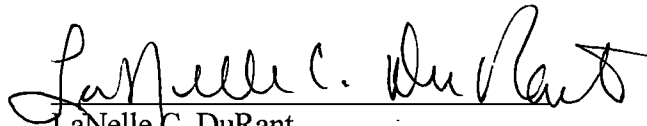
2. Today, February 1, 2019, Counsel will file the petition for writ of certiorari and accompanying appendix in the case of Edward Anthony v. State in the Supreme Court. Today, February 1, 2019, Counsel will file the initial brief of appellant and designation of matter in the case

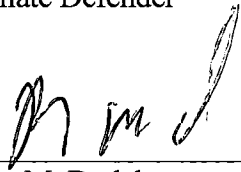
of State v. Clyde D. Singletary in the Court of Appeals. On January 30, 2019, Counsel had an oral argument in State v. Eric T. Spears before the Supreme Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard Burton Beekman v. State in the Supreme Court on January 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of Latisha Todd v. State in the Court of Appeals on January 16, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael A. Richardson v. State in the Supreme Court on January 9, 2019. Counsel filed the brief of appellant pursuant to White v. State in the case of Michael A. Richardson v. State in the Supreme Court on January 9, 2019. 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.

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,

  
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LaNelle C. DuRant  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

February 1, 2019

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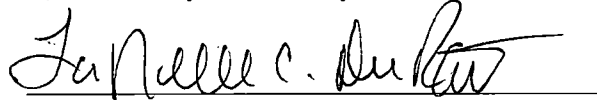
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RESPONDENT

APPELLATE CASE NO. 2018-001822  
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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 Johnny E. James, Jr., Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 1st day of February, 2019.

  
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LaNelle C. DuRant  
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 1<sup>st</sup> day of February, 2019.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires: September 27, 2028.