

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

Roger M. Young, Circuit Court Judge

JOHN CLEVELAND, JR.,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001369

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

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

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed a petition for a writ of habeas corpus in the original jurisdiction of the Supreme Court in the case of Kinjta Kadeem Sadler v. State on February 19, 2019. Counsel filed the brief of respondent in the case of State v. Steven Otts in the Court of Appeals on February 15, 2019. Counsel had an oral argument in the case of State v. Rickey Santoine Henley with the Court

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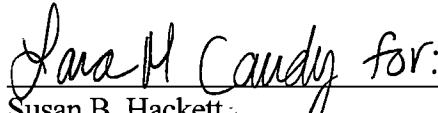
S.C. SUPREME COURT

of Appeals on February 12, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gregory Sanders in the Court of Appeals on February 11, 2019. Counsel filed the initial reply brief of appellant in the case of State v. Ricky L. Esaw in the Court of Appeals on February 7, 2019. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Robert Davis Smith in the Supreme Court on February 4, 2019. Counsel had an oral argument in the case of State v. Dennis Elvin Cervantes-Pavon with the Supreme Court on January 31, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Edward Isaiah Nelson in the Court of Appeals on January 28, 2019. Counsel filed a petition for rehearing in the case of State v. Carmine James Miranda, III in the Court of Appeals on January 22, 2019. Counsel filed the petition for writ of certiorari, the Johnson petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of George A. Jones v. State in the Supreme Court on January 18, 2019. Counsel filed the return to petition for writ of certiorari in the case of Daggart B. Frazier v. State in the Supreme Court on January 14, 2019. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Benjamin Cervantes Hernandez in the Supreme Court on January 7, 2019. Counsel filed a petition for rehearing in the case of State v. Robert Davis Smith, Jr. in the Court of Appeals on January 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Arthur Jason Bowers in the Court of Appeals on January 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Angela D. Brewer in the Court of Appeals on December 31, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Brian Z. Morton v. State in the Supreme Court on December 27, 2018.

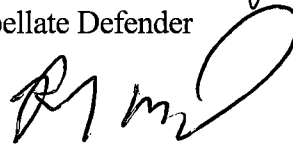
3. This request is made in good faith, and not for purposes of delay.

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

Respectfully submitted,

 Sara M. Candy for:

Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

February 21, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County

Roger M. Young, Circuit Court Judge

JOHN CLEVELAND, JR.,

PETITIONER,

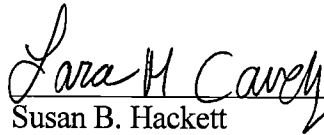
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Benjamin Limbaugh, Esquire, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 21st day of February, 2019.

 for:
Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 21st day of February, 2019.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: September 27, 2028