

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Spartanburg County
Robin B. Stilwell, Circuit Court Judge

RECEIVED

MAR 25 2019

S.C. SUPREME COURT

ANTWON M. BAKER, JR.,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001531

AMENDED PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI AND
ACCOMPANYING APPENDIX

The undersigned counsel respectfully requested a **final two-day extension, on Friday, March 22, 2019. However, inadvertently counsel requested until March 25, 2019, rather than March 26, 2019 in which to file the petition for writ of certiorari and accompanying appendix** in the above-referenced case based on the exigency of a medical condition that required immediate and continuing attention. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. **An extension in which to file the petition for writ of certiorari and accompanying appendix was filed in this Court on Friday, March 22, 2019, inadvertently requesting a two day extension until today, March 25, 2019, instead of tomorrow, March 26, 2019.**

2. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today. Counsel has been struggling with the Shingles since it was confirmed at a doctor's appointment on Monday, March 4, 2019. While counsel has continued working the virus does cause fatigue. *Given this medical condition, Shingles, counsel unfortunately and regretfully must request a final two-day extension until Monday, March 25, 2019, to file the petition for writ of certiorari.*

3. Counsel is filing the three issue merit initial brief of appellant and designation of matter in the murder case of The State v. Aneisha Young with the Court of Appeals today, March 22, 2019. Counsel also has been interviewing applicants for the appellate defender positions. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Reginald Hamilton with the Court of Appeals on March 4, 2019. Counsel had an oral argument in the case of The State v. Tekysha Cohen before the Court of Appeals on March 4, 2019. Counsel presented at the "Year End" CLE in Greenville, South Carolina on February 8, 2019. Counsel filed the petition for rehearing in the case of The State v. Ahshaad Owens with the Court of Appeals on February 7, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Nick Evangelista with the Court of Appeals on February 6, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Varsheen Smith with the Court of Appeals on January 30, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stephen Wilhite v. The State with this Court on January 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wayne Hankinson with the Court of Appeals on January 25, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender, including**

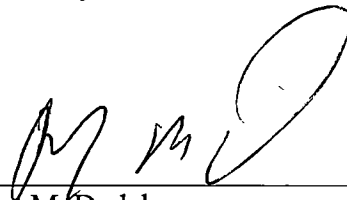
administrative and Appellate Project oversight, and training two less experienced appellate defenders and reviewing all their filings in advance, and interviewing.

4. As indicated by his consent below, counsel for the state does not oppose this request.

5. 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 **final two-day extension, until Tuesday, March 26, 2019**, in which to file the petition for writ of certiorari and accompanying appendix. **Counsel will file the certiorari petition before that date if possible.** 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,



Robert M. Dudek
Chief Appellate Defender

March 25, 2019