

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County
J. Derham Cole, Circuit Court Judge

RECEIVED

APR 10 2019

JOHN BARNES,

S.C. SUPREME COURT

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2018-001696

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

Counsel for John Barnes respectfully requests an extension of thirty (30) days 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 second 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.

2. Counsel for John Barnes 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 her caseload, counsel hopes that no further extension requests will be required.

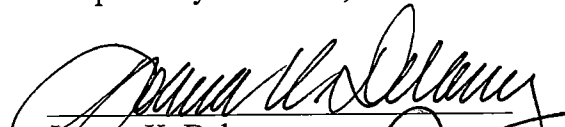
3. Counsel had oral argument in the case of The State v. Shawn Allen Mitchell before the Court of Appeals on April 2, 2019. Counsel had oral argument before this Court in the case of The State v. Demario M. Thompson on March 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyreece Raheam Stokes with the Court of Appeals on March 21, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Derrick L. Walker v. The State with this Court on March 11, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of James Brown, Jr. v. The State with this Court on March 6, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Desmond Mayo v. The State with this Court on March 4, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Dan Demetri Ford v. The State with this Court on February 22, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Eric Emanuel English with the Court of Appeals on February 19, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Willie James Moore with the Court of Appeals on February 1, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Edward Lee Whitlock, Jr., v. The State with this Court on January 18, 2019.

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.

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 based upon the above exigent circumstances. Counsel requests that time limits for filing the petition for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 10th day of April, 2019.

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County
J. Derham Cole, Circuit Court Judge

JOHN BARNES,

PETITIONER,

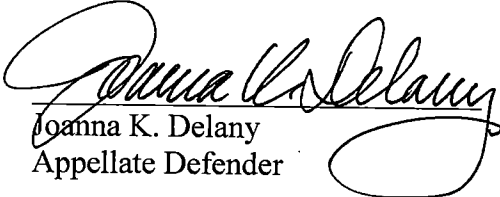
V.

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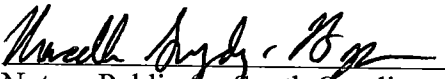
CERTIFICATE OF SERVICE

I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Lindsey McCallister, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 10th day of April, 2019.


Joanna K. Delany
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 10th day of April, 2019.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 26, 2028.