

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Charleston County

Honorable Thomas A. Russo, Circuit Court Judge

RECEIVED

APR 24 2019

S.C. SUPREME COURT

ALLEN STONE,

RESPONDENT

V.

STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2018-001847

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

Counsel for respondent respectfully requests an extension of thirty (30) days in which to file the return to petition for writ of certiorari 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:

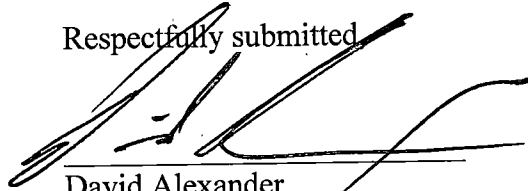
1. The return to petition for writ of certiorari is due to be served and filed with the Court today.
2. Counsel for respondent respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christian Coleman v. The State with this Court on April 22, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of In The Matter of the Care and Treatment of Otis Alford with the Court of Appeals on April 16, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. William Heath with the Court of Appeals on April 5, 2019. Counsel had an oral argument in the case of The State v. Darrell Ervin Raines, Jr. before the Court of Appeals on April 2, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Thomas Smith with the Court of Appeals on April 1, 2019. Counsel had an oral argument in the case of Vladimir W. Pantovich v. The State before this Court on March 27, 2019. Counsel had an oral argument in the case of The State v. Gerald R. Williams before this Court on March 26, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Robin Renee Herndon with this Court on March 21, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Demarco Johnson with the Court of Appeals on March 19, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael P. Cornelius v. The State with this Court on March 11, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Scott Rowan with the Court of Appeals on March 4, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Johnny James Cook with the Court of Appeals on February 26, 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.

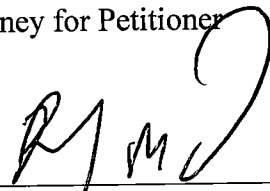
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



David Alexander
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 24th day of April, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County

Honorable Thomas A. Russo, Circuit Court Judge

ALLEN STONE,

RESPONDENT

V.

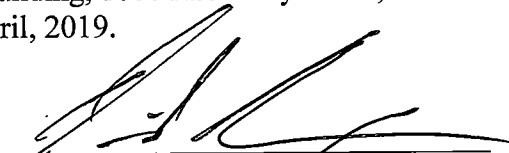
STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2018-001847

CERTIFICATE OF SERVICE

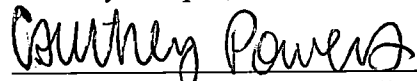
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Benjamin Limbaugh, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 24th day of April, 2019.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this
24th day of April, 2019.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: May 2, 2027.