

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Sumter County
Kristi F. Curtis, Circuit Court Judge

RECEIVED

JUL 01 2019

LEROY CLIFTON GIBBS,

SC SUPREME COURT
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-002044

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

Counsel for Leroy Clifton Gibbs respectfully requests an extension of thirty 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:

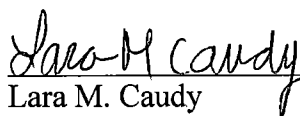
1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Leroy Clifton Gibbs respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously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

3. On June 28, 2019, counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in The State v. Justin Antonio Butler with the Supreme Court. On June 26, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Demorris Octswavious Andrews with the Court of Appeals. On June 14, 2019, counsel filed the brief of petitioner in Trevaughn Ziontae Jackson v. The State with the Court of Appeals. On June 10, 2019, counsel filed the Anders brief of appellant and record on appeal in The State v. Damorius Dontavis Gaines with the Court of Appeals. On May 30, 2019, counsel had an oral argument in The State v. Terry Edward McCall before the Supreme Court. On May 30, 2019, counsel filed a petition for rehearing in The State v. Felix Kotowski with the Court of Appeals. On May 17, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Waymon Newton v. The State with the Supreme Court. On May 2, 2019, counsel filed a petition for rehearing in The State v. Justin Antonio Butler with the Court of Appeals. On May 2, 2019, counsel filed the Anders brief of appellant and record on appeal in The State v. Robert Len Gainey with the Court of Appeals. On April 26, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Vanessa L. Frayer v. The State with the Supreme Court. On April 25, 2019, counsel filed a petition for rehearing in The State v. George Holmes with the Court of Appeals. On April 24, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Stacardo Grissett with the Court of Appeals. On April 11, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Tyrus Rashawn Woodruff v. The State with the Supreme Court.

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.

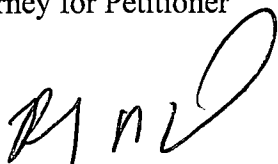
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



Lara M. Caudy
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

July 1, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Sumter County
Kristi F. Curtis, Circuit Court Judge

LEROY GIBBS,

PETITIONER,

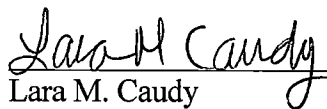
V.

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 Janell Gregory, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 1st day of July, 2019.



Lara M. Caudy

Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 1st day
of July, 2019.



(L.S.)

Notary Public for South Carolina

My Commission Expires: September 27, 2028.