

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Beaufort County

Thomas A. Russo, Circuit Court Judge

RECEIVED
DEC 18 2019
S.C. SUPREME COURT

ARTHUR FRANKLIN SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001196

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

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

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.

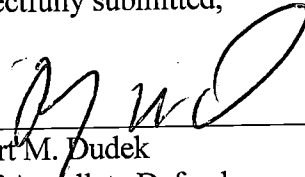
2. Counsel had an oral argument before the Court of Appeals on December 11, 2019 in The State v. Justin Jamal Warner. Counsel had an oral argument before the Court of Appeals on December 9, 2019 in The State v. Edward Primo Bonilla. Counsel filed the brief of appellant and

designation of matter in the case of The State v. John Andrew Finch with the Court of Appeals on December 2, 2019. Counsel was co-counsel to Victor Seeger and Lara M. Caudy, when they filed the petition for rehearing in the case of The State v. Jonathan Donell Rhodes with the Court of Appeals on November 21, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. John M. Ghent, Jr., to this Court from the Court of Appeals on November 12, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Anthony Raynard Randall with the Court of Appeals on November 8, 2019. Counsel was co-counsel to Adam Sinclair Ruffin, when they filed the initial brief of appellant and designation of matter in the case of The State v. William D. Pennington with the Court of Appeals on November 4, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James A. Gardner v. The State with this Court on October 28, 2019. Counsel also had an oral argument before the Court of Appeals on October 22, 2019 in State v. Deshandon Franks in Clemson, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dashaun Livaughn Simmons with the Court of Appeals on October 21, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jakeivan A. Pulley v. The State with this Court on October 18, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training four less experienced appellate defenders and reviewing all their filings in advance.**

3. 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 thirty-day extension. 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

This 18th day of December, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Beaufort County
Thomas A. Russo, Circuit Court Judge

RECEIVED
DEC 18 2019
S.C. SUPREME COURT

ARTHUR FRANKLIN SMITH,

PETITIONER,

V.

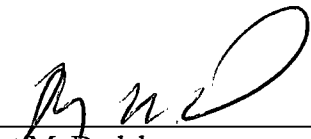
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001196

CERTIFICATE OF SERVICE

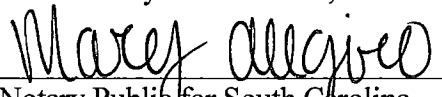
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Benjamin Limbaugh, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 18th day of December, 2019.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 18th day of December, 2019.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12, 2027.