

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Beaufort County
Jennifer B. McCoy, Circuit Court Judge

RECEIVED
JAN 02 2011

S.C. SUPREME COURT

DONALD EUGENE PETERS,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2019-000828

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

Counsel for Donald Eugene Peters 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.

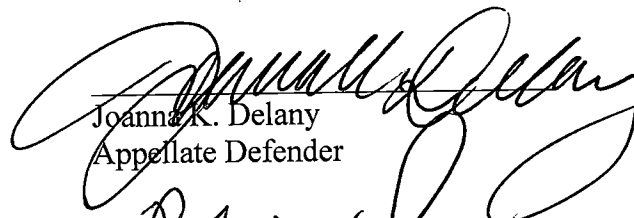
2. Counsel for Donald Eugene Peters respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel will file the petition for writ of certiorari and accompanying appendix in the case of Henry Gray v. The State with this Court today, January 2, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kemonie Jones v. The State with this Court on December 30, 2019. Counsel had oral argument before the Court of Appeals in the case of John C. Hart v. The State on December 12, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dylan L. M. with the Court of Appeals on December 4, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tykeem May v. The State with this Court on December 2, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ronnie Martin v. The State with this Court on November 25, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Willie Byrd with the Court of Appeals on November 20, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Cooper v. The State with this Court on November 15, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Powell v. The State with this Court on November 12, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Devonta Williams with the Court of Appeals on October 28, 2019.

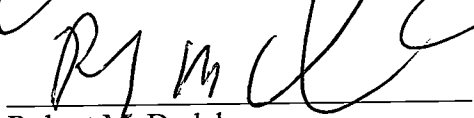
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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 2nd day of January, 2020

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Beaufort County
Jennifer B. McCoy, Circuit Court Judge

RECEIVED
JAN 02 2020
S.C. SUPREME COURT

DONALD EUGENE PETERS,

PETITIONER,

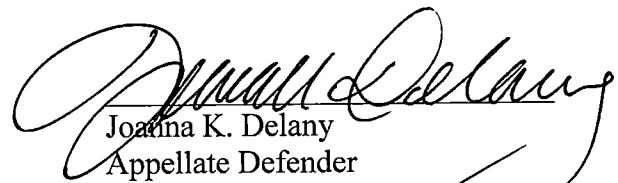
V.

THE STATE,

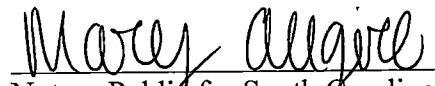
RESPONDENT.

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 Benjamin Limbaugh, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 2nd day of January, 2020.


Joanna K. Delany
Appellate Defender
ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 2nd day of January, 2020.

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