

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

JASON CAREY LEAPHART,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2019-000981

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

Counsel for Jason Carey Leaphart 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 Jason Carey Leaphart 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.

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3. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Lawton Holloway with the Court of Appeals today, January 8, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Hector Villafuerte v. The State with the Supreme Court on January 6, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lamont Seldon with the Court of Appeals on January 2, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Seandrea Johnson v. The State with the Supreme Court on December 23, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffrey Brown v. The State with the Supreme Court on December 20, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Phillip Lowery with the Court of Appeals on December 16, 2019. Counsel had an oral argument in the case of The State v. Samuel Alexander before the Supreme Court on December 11, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyquin Jenkins with the Court of Appeals on December 2, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Quantae Priest v. The State with the Supreme Court on November 25, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeff Chestnut v. The State with the Supreme Court on November 12, 2019.

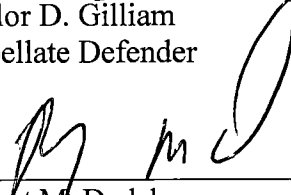
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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,



Taylor D. Gilliam
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 8, 2020

Attorney for Petitioner

STATE OF SOUTH CAROLINA

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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 Megan H. Jameson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 8th day of January, 2020.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 8th day
of January, 2020.

Marey Allgood (L.S.)

Notary Public for South Carolina

My Commission Expires: May 12, 2027.