

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Honorable Brian M. Gibbons, Circuit Court Judge

RECEIVED

Apr 15 2020

S.C. SUPREME COURT

ANTONIO EMERSON TATE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2019-001753

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

Counsel for petitioner 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 petitioner 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 filed the petition for writ of certiorari and accompanying appendix in the case of Kerwin Parker v. The State of South Carolina with this Court on April 8, 2020. Counsel filed the petition for rehearing in the case of Brenda Roberts v. The State of South Carolina with the Court of Appeals on April 2, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Byron Rivers with the Court of Appeals on March 31, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Guadalupe Guzman Morales v. The State of South Carolina with this Court on March 17, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Bradford Hester Williams with the Court of Appeals on March 13, 2020. Counsel filed the brief of petitioner in the case of The State of South Carolina v. Jose Reyes Reyes with this Court on March 12, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Bilal Sincere Haynesworth v. The State of South Carolina with this Court on March 9, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Kelvin Gantt with the Court of Appeals on March 9, 2020. Counsel filed the petition for rehearing in the case of Vance Ross v. The State of South Carolina with the Court of Appeals on February 26, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Brandon Heath Clark v. The State of South Carolina with this Court on February 24, 2020. Counsel filed the petition for rehearing in the case of Kelvin Jones v. The State of South Carolina with the Court of Appeals on February 13, 2020. Counsel filed the petition for rehearing in the case of Tommy McGee v. The State of South Carolina with the Court of Appeals on February 13, 2020.

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,

s/ Kathrine H. Hudgins

Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 15th day of April, 2020

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Honorable Brian M. Gibbons, Circuit Court Judge

RECEIVED

Apr 15 2020

S.C. SUPREME COURT

ANTONIO EMERSON TATE,

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 Megan Harrigan Jameson, Esquire, Assistant Attorney General, at mjameson@scag.gov this 15th day of April, 2020.

s/ Kathrine H. Hudgins

Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER