

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Spartanburg County
J. Mark Hayes, Circuit Court Judge

RECEIVED

Jul 13 2020

S.C. SUPREME COURT

BRITTANY C. FOSTER,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2020-000143

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

Counsel for Brittany C. Foster 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 Brittany C. Foster 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 Anders brief of appellant and record on appeal in the case of The State v. Thomas Raynes Marrett in the Court of Appeals on July 10, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rodney Galimore v. State in this Court on July 1, 2020. Counsel filed a petition for rehearing in the case of The State v Christian Anthony Himes with the Court of Appeals on June 25, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wanda Jane Crumpton with the Court of Appeals on June 24, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Derrick Lamont Wade v. State in this Court on June 18, 2020. Counsel filed the return to the petition for rehearing in the case of The State v. Patrick O'Neil McGowan with the Court of Appeals on June 15, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Carlos Anthony Dennison with the Court of Appeals on June 10, 2020. Counsel had oral argument before the Court of Appeals in the case of Terrance L. Bland v. The State on June 3, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alqi Dhimo v. State in this Court on May 29, 2020.

4. Counsel makes this request in good faith and not for purpose of delay.

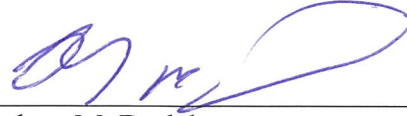
5. Counsel for the Attorney General's office has been informed of this request.

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 for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 13th day of July, 2020.