

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

Kristi Lea Harrington, Circuit Court Judge

 ORIGINAL

RECEIVED

APR 29 2013

S.C. Supreme Court

JOY MACK,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212481

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

Counsel for Mr. Joy Mack respectfully requests a thirty day extension in which to file the petition for writ of certiorari 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 is due to be served and filed with the Court today, April 29, 2013.

2. Counsel for Mr. Mack 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 his caseload, counsel hopes that no further extension requests will be required.

3. On April 26, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Jonathan Byers v. State in this Court. On April 25, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in West Webb Mitchum v. State in this Court. On April 15, 2013, counsel filed a brief of appellant and designation of matter in State v. Ricky Bowman in the Court of Appeals. On April 9, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Montag Webb v. State in this Court. On April 8, 2013, counsel filed a brief of appellant and record on appeal in State v. Jabbarie Brown in the Court of Appeals. On April 2, 2013, counsel held an oral argument in State v. Brandon Rogers before the Court of Appeals. On April 1, 2013, counsel filed a brief of appellant and record on appeal in State v. Eric Shoddy in the Court of Appeals; and counsel filed a petition for writ of certiorari and accompanying appendix, along with a petition for writ of certiorari pursuant to Austin v. State in Randy Bryant v. State in this Court. On March 22, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Antonio Lamont Boykin v. State in this Court; and counsel filed a Johnson petition for writ of certiorari and accompanying appendix in David Fitch v. State with this Court. On March 8, 2013, counsel filed the brief of appellant and designation of matter in State v. Crystal Nicole Thomas with the Court of Appeals. On March 6, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Eugene Santiago v. State in this Court. On March 5, 2013, counsel held oral arguments in State v. Christopher Watson, and in State v. Joseph Cobb, before the Court of Appeals. On February 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Martina R. Putnam v. State in this Court.

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

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 in this case based upon the above exigent circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Breen R. Stevens", is written over a horizontal line. The signature is stylized and cursive.

Breen R. Stevens
Appellate Defender

Attorney for Petitioner

April 29, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County
Kristi Lea Harrington, Circuit Court Judge

JOY MACK,

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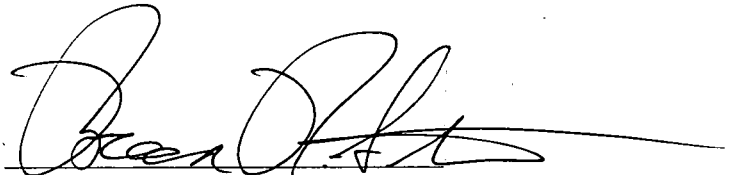
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APPELLATE CASE NO. 2012-212481

CERTIFICATE OF SERVICE

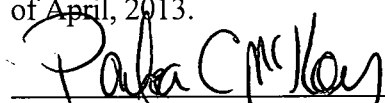
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ashleigh Wilson, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 29th day of April, 2013.



Breen R. Stevens
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 29th day
of April, 2013.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 24, 2022.