

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County

Eugene C. Griffith, Jr., Circuit Court Judge

RECEIVED
MAY - 8 2013
S.C. Supreme Court

WENDELL G. DELARGE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELATE CASE NO 2012-213290

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a thirty-day extension in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.

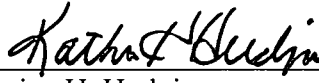
2. Counsel has an oral argument in the case of State v. Antwan McMillan in the Court of Appeals on Wednesday May 8, 2013. Counsel had an oral argument in the case of State v.

Travell Hill in the Court of Appeals on Monday May 6, 2013. On Wednesday, May 1, 2013 Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jacqueline Yvette Sullivan in the Court of Appeals, Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of State v. Johnny Frazier in this Court and Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of State v. Robert L Foster in this Court. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Reginald Montgomery in the Court of Appeals on Monday, April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leon Billups v. State in this Court on Thursday, April 18, 2013. Counsel had an oral argument in the case of James Bowers v. State in the Court of Appeals on Tuesday, April 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robin Reese in the Court of Appeals on Thursday, April 4, 2013. Counsel had an oral argument in the case of State v. Todd Smith in the Court of Appeals on Thursday, April 3, 2013. Counsel had an oral argument in the case of State v. Jeffrey Herman in the Court of Appeals on Tuesday, April 2, 2013.

3. This request is made in good faith, and not for purposes 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.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in cursive script, reading "Kathrine H. Hudgins".

Kathrine H. Hudgins
Appellate Defender

May 8, 2013

STATE OF SOUTH CAROLINA

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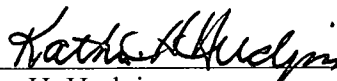
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELATE CASE NO 2012-213290

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon John Walt Whitmire, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201 this 8th day of May, 2013.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 8th day of May, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 3, 2013.