

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE SUPREME COURT

Certiorari to Anderson County

RECEIVED

R. Lawton McIntosh, Circuit Court Judge

MAY - 8 2013

S.C. Supreme Court

DEREK S. CARTER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-213168

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

The undersigned counsel respectfully requests a **final thirty day extension, until June 7, 2013**, 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. This case was assigned to Dayne Phillips, whose last day with the Appellate Division was Friday, April 5, 2013. Undersigned counsel has assumed Mr. Phillip's caseload

effective April 9, 2013, and has been reassigned to handle the present case. **This is undersigned counsel's first extension request in this case.**


3. Counsel has an oral argument in the case of State v. Michael Avery Humphrey in the Court of Appeals today, May 8, 2013. In addition, Counsel is working on and plans to file the initial brief of appellant and designation of matter in the case of State v. Erick E. Hewins in the Court of Appeals on Monday, May 13, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marcus Daniel Allison in the Court of Appeals on May 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of and Gary Waiters v. State in this Court on May 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mable Lee-Bey v. State in this Court on May 1, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerry Whitfield v. State in this Court on April 24, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Donald Anderson in the Court of Appeals on April 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric LaGeorge Mouzon v. State in this Court on April 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Little Johnny Lee Mackey v. State in this Court on April 12, 2013.


4. As indicated by his consent below, counsel for the state does not oppose this request.

5. 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 **final thirty day extension, until June 7, 2013**. 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.

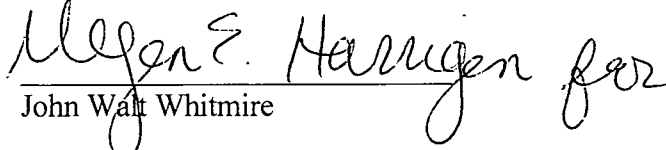
Respectfully submitted,

  
\_\_\_\_\_  
Carmen V. Ganjehsani  
Appellate Defender

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

May 8, 2013

I do not oppose:

  
\_\_\_\_\_  
John Walt Whitmire