

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Appeal from Florence County
George C. James, Jr., Circuit Court Judge

RECEIVED

JUN 13 2012

THE STATE,

S.C. Supreme Court

RESPONDENT,

V.

ANDRE MASSEY,

PEITIONER

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

Counsel for Andre Massey respectfully requests a **final extension of thirty (30) days until July 13, 2012** in which to file the petition for writ of certiorari to the Court of Appeals 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 final request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari to the Court of Appeals and appendix are due to be served and filed with the Court today.
2. Counsel for Mr. Massey 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.

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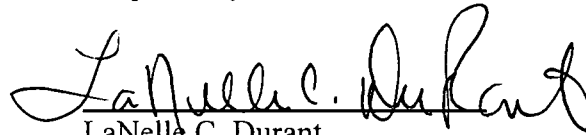
3. Counsel is preparing to file the brief of petitioner and appendix in the case of State v. Theodore Wills and the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Thomas Simmons today, June 13, 2012. On May 31, 2012, counsel filed the initial brief of appellant and designation of matter in the cases of State v. Kenneth Bolden and State v. Anthony Martin. On May 29, 2012, counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Randall Price, the petition for writ of certiorari and appendix in the case of Marty McKinsey v. State, and the initial brief of appellant and designation of matter in the case of State v. Rashawn Murphy. On May 24, 2012, counsel filed the petition for writ of certiorari to the Court of Appeals and appendix in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez and the petition for writ of certiorari and appendix in the case of Herbert Matthews v. State. On May 23, 2012, counsel had an oral argument in the case of State v. Jeffrey Wesley in the Court of Appeals. On May 16, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. John Mack. On May 14, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Dewayne Littles v. State. On May 8, 2012, counsel had oral argument in the cases of State v. Christopher Manning and State v. Christopher Broadnax in the Court of Appeals. On May 4, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Demetrius Goodwin. On May 3, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Mark Brown v. State and Tarren Richburg v. State.

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 consents to this request as shown by signature below.

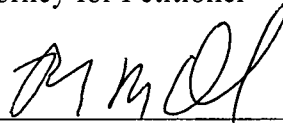
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until July 13, 2012**, in which to file the petition for writ of certiorari to the Court of Appeals and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

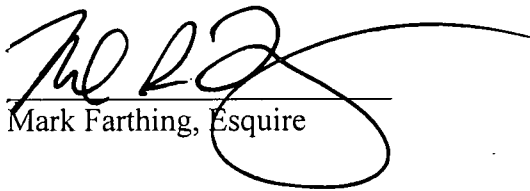
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 13th day of June, 2012

I Consent:



Mark Farthing, Esquire