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Sep 16 2024

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Saluda County

Honorable Kristi F. Curtis, Circuit Court Judge

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KYLE WAYNE WAY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2024-000547

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

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Counsel for Kyle Wayne Way respectfully requests an extension of thirty (30) days from September 16, 2024 until October 16, 2024 in which to serve and 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 Kyle Wayne Way 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 Initial Reply Brief of Appellant in the case of The State v. Quinterris J. Carmichael with the Court of Appeals on September 5, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Ty Leic Dae Jhon Chaneyfield with the Court of Appeals on August 20, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Frank L. Mills with the Court of Appeals on August 5, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Jaycoby Terreak Williams v. The State with this Court on August 5, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Steven Levon Williams v. The State with this Court on July 31, 2024. Counsel filed the Brief of Petitioner in the case of Ronnie C. Swofford v. The State with the Court of Appeals on July 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Travontae Mitchell with the Court of Appeals on July 17, 2024.

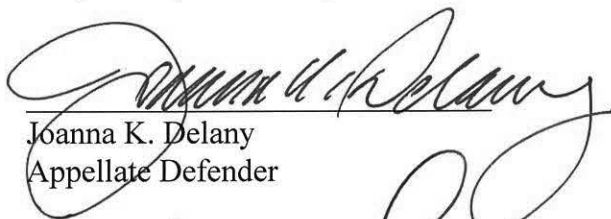
4. Counsel makes this request in good faith and not for purpose of delay.

5. On August 30, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2024.

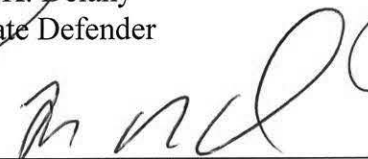
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from September 16, 2024 until October 16, 2024, in which to serve and file the

Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

This 16th day of September, 2024.