

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Oct 16 2024

S.C. SUPREME COURT

Certiorari to Saluda County

Honorable Kristi F. Curtis, Circuit Court Judge

KYLE WAYNE WAY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2024-000547

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

Counsel for Kyle Wayne Way respectfully requests a **final thirty (30) day extension, from October 16, 2024 until November 15, 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 third 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.

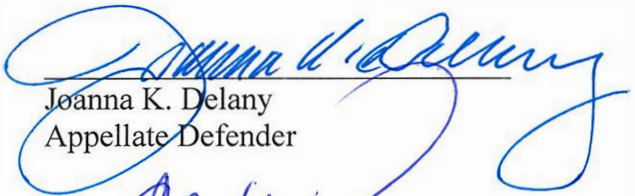
3. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jason J. Otero with the Court of Appeals on October 11, 2024. Counsel filed the *Anders* Brief of Appellant and Record on Appeal in the case of The State v. Raekwon M. Ellerbe with the Court of Appeals on October 9, 2024. Counsel filed the Initial Brief of Appellant/Respondent and Designation of Matter in the case of The State v. Terrence O. Frazier with the Court of Appeals on October 1, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Marqual Devine Griffin v. The State with the Supreme Court on September 24, 2024. 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.

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


5. On September 29, 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 October 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from October 16, 2024 until November 15, 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 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 October, 2024.