

 ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Charleston County  
R. Markley Dennis, Jr., Circuit Court Judge

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**RECEIVED**

JUN 28 2012

**S.C. Supreme Court**

JOSEPH HEYWARD,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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

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Counsel for Joseph Heyward respectfully requests an extension of thirty (30) days in which to 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 is due to be served and filed with the Court today, June 28, 2012.
2. Counsel for Mr. Heyward 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.

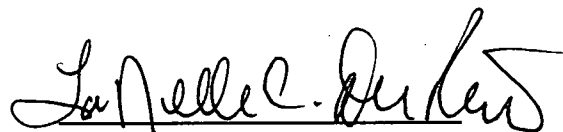
3. Today, June 28, 2012, counsel is filing the petition for writ of certiorari to the Court of Appeals in State v. James Robert Nash with this Court. On June 21, 2012, counsel filed the petition for rehearing in State v. Bennie Golston with the Court of Appeals. On June 19, 2012, counsel had an oral argument in the case of State v. Christopher Whitehead before the Court of Appeals. On June 13, 2012, counsel filed 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. 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.

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

5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to 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 be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant  
Appellate Defender

Attorney for Petitioner

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Charleston County

R. Markley Dennis, Jr., Circuit Court Judge

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JOSEPH HEYWARD,

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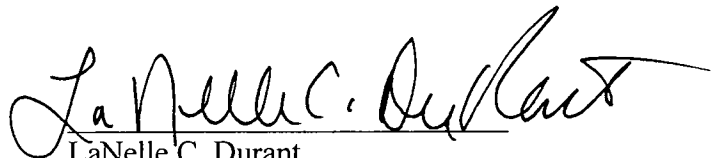
RESPONDENT

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CERTIFICATE OF SERVICE

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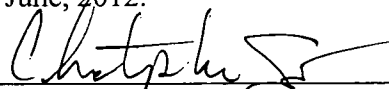
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ashleigh Wilson, Esquire, this 28th day of June, 2012.



LaNelle C. Durant  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 28th day  
of June, 2012.

 (L.S.)  
Notary Public for South Carolina

My Commission Expires: May 16, 2021.