

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to York County
John C. Hayes, III, Circuit Court Judge

RECEIVED

NOV 14 2013

JIMMY CHARLES KENDALL, III,

S.C. Supreme Court
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001800

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

Counsel for Jimmy Kendall 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 are due to be served and filed with the Court today.
2. Counsel for Jimmy Kendall 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.

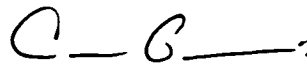
3. Counsel filed the reply to the return to the petition for writ of certiorari in the case of The State v. Derek S. Carter with this Court on November 11, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. David Tyre with this Court on November 8, 2013. Counsel filed the initial brief of appellant in the case of The State v. Fred Woodrow Cribb with the Court of Appeals on November 6, 2013. Counsel filed the initial reply brief of appellant in the case of The State v. Christopher Miller with the Court of Appeals on October 31, 2013. Counsel attended and participated in the CLE Seminar regarding the Presentation of Criminal Appeals to the Court of Appeals on October 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Orlando Shiver v. State of South Carolina with this Court on October 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Elizabeth M. Dinkins with the Court of Appeals on October 18, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Randy Elders v. State of South Carolina with this Court on October 16, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Heyward Davis v. State of South Carolina with this Court on October 14, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Heyward Davis v. State of South Carolina with this Court on October 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Conrad Slocumb with the Court of Appeals on October 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Robert Livingston with the Court of Appeals on October 11, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Elenie Isham Parker v. State of South Carolina with this Court on October 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Daniel F. Miles with the

Court of Appeals on October 3, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Clarence Puckett, II with the Court of Appeals on September 23, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Linwood Carson v. State of South Carolina with this Court on September 18, 2013. Counsel had an oral argument in the case of The State v. Kristopher Wilmont Berry in the Court of Appeals on September 12, 2013. Counsel had an oral argument in the case of The State v. Karl Ryan Lane in the Court of Appeals on September 11, 2013.

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,



Carmen V. Ganjehsani
Appellate Defender

Attorney for Petitioner

November 14th, 2013

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JIMMY CHARLES KENDALL, III,

PETITIONER,

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STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

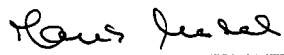
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon J. Rutledge Johnson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 14th day of November, 2013.



Carmen V. Ganjehsani
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 14th day
of November, 2013.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.