

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2011-CP-10-0571

RECEIVED

JUL 18 2012

S.C. Supreme Court

Michael Dunham, 313860,

Petitioner,

v.

State of South Carolina,

Respondent.

MOTION FOR LEAVE TO FILE REPLY TO RETURN TO PETITION FOR A WRIT OF
CERTIORARI OUT OF TIME

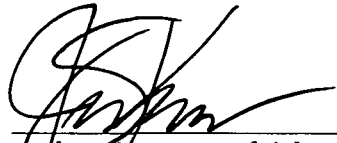
The Petitioner, through his undersigned counsel, respectfully requests this Honorable Court allow him to file the attached Reply outside of the Court's time limits for the following reasons.

The Return filed by the State was mailed to counsel on July 5, 2012, according to the cover letter. July 5 was a Thursday of a holiday week. Counsel did not receive the Return until the following Monday, July 9, 2012. Though the ten days to file the Reply ran on Monday, July 16, 2012, that date only gave counsel seven days to complete the petition.

Because of the important rights at stake in this case and the very small delay in filing the Reply, counsel believes there is no prejudice to either party in allowing this Reply to be filed outside of the time limits.

Dunham respectfully requests this Honorable Court grant leave to allow the Reply to be filed outside the time limit and consider this Reply filed in a timely manner.

[SIGNATURE BLOCK ON FOLLOWING PAGE]



Joshua Snow Kendrick
Christopher S. Leonard
KENDRICK & LEONARD, P.C.
P.O. Box 886
Columbia, SC 29202
(803) 667-3186

Attorneys for the Petitioner

July 17, 2012
Columbia, South Carolina