

 COPY

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

RECEIVED

AUG 18 2014

SC Court of Appeals

KEVIN TYRONE BENNETT,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RECEIVED

AUG 20 2014

RESPONDENT

S.C. Supreme Court

RECEIVED

APPELLATE CASE NO. 2012-207559

AUG 18 2014

SC OFFICE OF
APPELLATE DEPT.

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE RETURN TO THE PETITION FOR WRIT OF
CERTIORARI TO THE COURT OF APPEALS

Counsel for Kevin Bennett respectfully requests an extension of ten (10) days in which to file the return to the petition for writ of certiorari to the Court of Appeals in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is first request for an extension pursuant to this Order. In support of this request, counsel shows:

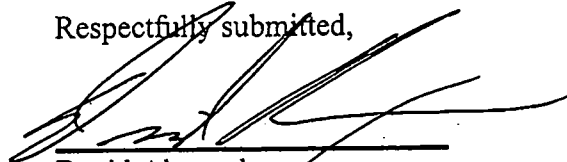
1. The return to the petition for writ of certiorari to the Court of Appeals is due to be served and filed with the Court today.
2. Counsel for Kevin Bennett respectfully submits that good cause exists which warrant the granting of this extension of time.
3. Counsel is currently working on Michael D. Hall v. State of South Carolina, a new case pending in the Supreme Court's original jurisdiction with impending deadlines

that cannot be extended. Counsel filed the brief of appellant and designation of matter in the case of State v. Talmadge Rowell with the Court of Appeals on August 8, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Edwards Haynes with the Court of Appeals on July 29, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Randall S. Tyler v. State of South Carolina with the Supreme Court on July 28, 2014. Counsel filed the brief of appellant and designation of matter in the case of State v. Benjamin William Rhodes with the Court of Appeals on July 17, 2014. Counsel filed the petition for rehearing in the case of State v. Jason Alan Johnson with the Court of Appeals on July 14, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brandon S. McDevitt v. State of South Carolina with the Supreme Court on July 14, 2014. Counsel filed the brief of petitioner in the case of Charles Ray Dean v. State of South Carolina with the Court of Appeals on July 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix to the Court of Appeals in the case of State v. Eric Wright with the Supreme Court on July 11, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Antwan Jackson with the Court of Appeals on July 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nathaniel McGee v. State of South Carolina with the Supreme Court on July 2, 2014. Counsel had an oral argument in the case of State v. Jomar Robinson with the Supreme Court on June 24, 2014. Counsel filed the petition for rehearing in the case of State v. Steven Krandonk with the Court of Appeals on June 19, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix and petition for writ of certiorari and accompanying appendix in the case of Clarence Crittendon v. State with the Court of Appeals on June 18, 2014.

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,



David Alexander
Appellate Defender

Attorney for Petitioner

August 18th, 2014

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

KEVIN TYRONE BENNETT,

PETITIONER,

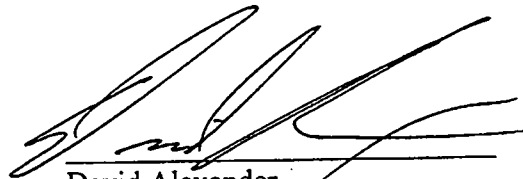
V.

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 return to the petition for writ of certiorari to the Court of Appeals in the above case has been served upon David Spencer, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 18th day of August, 2014.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 18th day
of August, 2014.

Maia Henderson (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.