

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to York County  
J. Michael Baxley, Circuit Court Judge

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S.C. Supreme Court

RICHARD KEITH POE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000737

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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 Richard Keith Poe respectfully requests an extension of thirty (30) days, **until October 22, 2014**, 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 Richard Keith Poe 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 has been preparing his power-point presentation for the 2014 Annual Public Defender Conference which he will be attending September 22-24, 2014 in Myrtle Beach, South Carolina. Additionally, counsel filed the petition for rehearing in the case of State of South Carolina v. Christina Reece with the Court of Appeals on September 12, 2014. Counsel had an oral argument in the case of State v. Bobbie McCann before the Court of Appeals on September 12, 2014. Counsel also had an oral argument in the case of State v. Jason Bauman before the Court of Appeals on September 10, 2014. Counsel also had an oral argument in the case of State v. Derell Green which he assisted Appellate Defender Lara Caudy in preparing to argue for him before the Court of Appeals on September 8, 2014. Counsel also filed the reply to return to petition for writ of certiorari with co-counsel, Reid T. Sherard in the case of State v. Jamaal Hinson with this Court on September 8, 2014. Counsel also filed the brief of petitioner with co-counsel, David Alexander, in the case of State v. Darren Gerome Scott with this Court on September 4, 2014. Counsel also filed the petition for rehearing in the case of The State v. Anthony K. Blakney with the Court of Appeals on September 4, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of The State v. Andrew Antonio Clemons with the Court of Appeals on September 4, 2014. Counsel also filed the record on appeal in the case of Michael D. Hall v. State of South Carolina which was granted, and expedited in the original jurisdiction of the Supreme Court, with this Court on August 27, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Mark Stanley Peters with this Court on August 25, 2014. Counsel filed the designation of matter in the case of Michael D. Hall v. State of South Carolina with this Court on

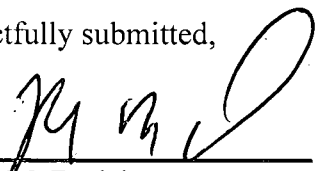
August 22, 2014. Counsel also filed the initial brief of respondent in the case of State v. Calvin Pompey with the Court of Appeals on August 22, 2014. Counsel also filed the initial brief of respondent and designation of matter in the case of State v. Shannon Scott with this Court on August 21, 2014. Counsel also filed the petition for rehearing in the case of State v. Victor A. White with the Court of Appeals on August 21, 2014. Counsel also filed the petition for rehearing in the case of State v. Jefferson Perry with the Court of Appeals on August 21, 2014. Counsel also filed the initial reply brief of appellant in the case of State v. William Pou with the Court of Appeals on August 20, 2014. Counsel also had to prepare his power-point presentation for the summary judge's conference Tuesday, August 19, 2014. Counsel also filed the return to motion to appoint outside counsel in the case of Damon Jones aka Damian Jones v. State with this Court on August 18, 2014. Counsel also was preparing for and attending a reconstruction hearing in the case of State v. Travoris Hurst held in Charleston, SC on August 14, 2014. Counsel also filed the petition for rehearing in State v. Tawanda Allen with the Court of Appeals on August 13, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Charles M. Harris with this Court on August 8, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of The State v. Nathaniel Witherspoon with the Court of Appeals on August 6, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix with co-counsel, Reid T. Sherard in the case of The State of South Carolina v. Jamaal Hinson with this Court on July 29, 2014. Counsel also filed the petition to exceed twenty-five page limit for a petition for writ of certiorari in the case of The State of South Carolina v. Jamaal Hinson with this Court on July 29, 2014. Counsel also filed the return to petition for writ of certiorari in the case of James E. Waiters v. State of South Carolina with this Court on July 28, 2014. Counsel also filed the petition for writ of

certiorari and accompanying appendix in the case of In The Matter of the Care and Treatment of Patrick Guess with this Court on July 23, 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.

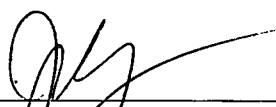
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until October 22, 2014**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender



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T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

This 22<sup>nd</sup> day of September, 2014.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to York County  
J. Michael Baxley, Circuit Court Judge

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RICHARD KEITH POE,

PETITIONER,

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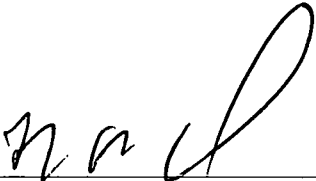
APPELLATE CASE NO. 2014-000737

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CERTIFICATE OF SERVICE

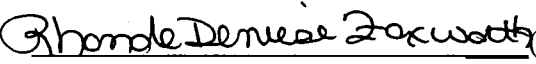
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I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon J. Rutledge Johnson, Esquire, Assistant Attorney General, Office of the Attorney General, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 22<sup>nd</sup> day of September, 2014.

  
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Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 22<sup>nd</sup> day  
of September, 2014.

  
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(L.S.)  
Notary Public for South Carolina  
My Commission Expires: October 17, 2021 .