

ORIGINAL

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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**RECEIVED**

OCT 22 2014

**S.C. Supreme Court**

RICHARD KEITH POE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000737  
\_\_\_\_\_

PETITION FOR EXTENSION TO FILE  
PETITION FOR WRIT OF CERTIORARI AND  
ACCOMPANYING APPENDIX  
\_\_\_\_\_

The undersigned counsel respectfully requests a **final thirty day extension, until November 21, 2014**, in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. The good cause is counsel is working on and will be filing the initial brief of appellant and designation of matter in the case of Timothy D. Dingle v. The State (murder case) with the Court of Appeals today, October 22, 2014. Counsel is working on and planning to file the initial brief of appellant and designation of matter in the case of The State v. Bradley Gerald

Mullins with the Court of Appeals on October 27, 2014. Counsel is working on and will be filing the petition for writ of certiorari and accompanying appendix in the case of The State v. Victor White with the Supreme Court on October 29, 2014. Counsel is working on and will be filing the petition for writ of certiorari and accompanying appendix in the case of The State v. Tawanda Allen with the Supreme Court on October 29, 2014. Counsel is also working on the death penalty case of The State v. Ricky Lee Blackwell. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

3. Counsel filed the petition for rehearing in the case of The State v Jason A. Bauman with the Court of Appeals on October 16, 2014. Counsel had an oral argument in the case of The State v. Christopher Heller before this Court on October 7, 2014. Counsel filed the final brief of petitioner in the case of Michael D. Hall v. State of South Carolina (Supreme Court) with co-counsel, Susan B. Hackett and David Alexander, with this Court on October 6, 2014. Counsel had an oral argument in the case of The State v. Antonio Miller before the Court of Appeals on October 6, 2014. Counsel filed the petition for rehearing in the case of The State v. Michael Anthony Rogers in the Court of Appeals on October 2, 2014. Counsel filed the petition for rehearing with co-counsel, Susan Hackett, in the case of Richard Bernard Moore v. State of South Carolina with this Court on September 26, 2014. Counsel prepared for and presented his Case Law Update power-point presentation for the 2014 Annual Public Defender Conference held September 22-24, 2014 in Myrtle Beach, South Carolina. 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 State v. Anthony K. Blakney with the Court of Appeals on September 4, 2014

4. As indicated by his consent below, counsel for the state does not oppose this request.

5. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until November 21, 2014**, in which to file the petition for writ of certiorari and accompanying appendix. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

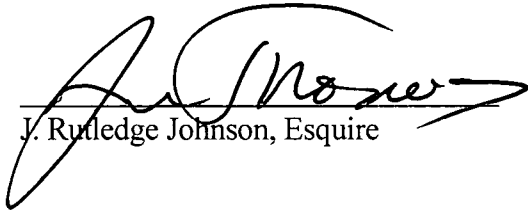


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T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

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

I do not oppose:

A handwritten signature in cursive script, appearing to read "J. Rutledge Johnson", written over a horizontal line. The signature is fluid and stylized, with a long horizontal stroke extending to the right.

J. Rutledge Johnson, Esquire