

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County

D. Garrison Hill, Circuit Court Judge

RECEIVED

DEC 31 2014

S.C. Supreme Court

KENNETH HENRY SHERMAN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-001364

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

Counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari 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 is due to be served and filed with the Court today.

2. Counsel 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 his caseload, counsel hopes that no further extension requests will be required.

3. On December 23, 2014, counsel filed a petition for rehearing in State v. Arthur Smith with the Court of Appeals. On December 17, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Gregory Gosnell v. State with this Court. On December 15, 2014, counsel filed an Petition for Writ of Certiorari pursuant to *Austin v. State* in Victor C. Penny v. State with this Court. On December 11, 2014, counsel filed a petition for rehearing in State v. Carolyn Poe with the Court of Appeals. On December 10, 2014, counsel filed a petition for writ of certiorari in Donnell McFadden v. State with this Court. On December 9, 2014, counsel held an oral argument in Ernest L Hall v. State before the Court of Appeals. On December 5, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Steven R. Timmons v. State with this Court. On December 5, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Eddie Pilcher v. State with this Court. On December 1, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Princeton Thrower v. State with this Court. On December 1, 2014, counsel filed a petition for rehearing in The Interest of Jameccia L., a Minor Under the Age of Seventeen with the Court of Appeals. On November 26, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Anthony Britt v. State with this Court. On November 24, 2014, counsel filed a petition for writ of certiorari in Tony Moore v. State with this Court. On November 21, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Charles Green, Jr. with the Court of Appeals. On November 20, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Michael McCraw with the Court of Appeals. On November 13, 2014, counsel filed a brief of respondent in State v. Brittany Johnson with this Court. On November 12, 2014, counsel held an oral argument in


State v. Demetrius Smalls before the Court of Appeals. On November 5, 2014, counsel filed a brief of appellant and record on appeal in State v. Latroy Lamar Wherry with the Court of Appeals. On October 27, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Michael Lee Montgomery v. State with this Court. On October 27, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Kevin L. Holt v. State with this Court. On October 23, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Aaron Green v. State with this Court. On October 21, 2014, counsel filed a brief of respondent in Troy Robinson v. State with the Court of Appeals.

4. Counsel makes this request in good faith and not for purpose 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.

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 in this case based upon the above exigent circumstances.

Respectfully submitted,



Benjamin J. Tripp
Appellate Defender

Attorney for Petitioner

December 31, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
D. Garrison Hill, Circuit Court Judge

KENNETH HENRY SHERMAN,

PETITIONER,

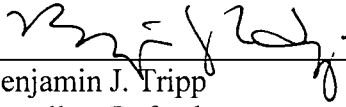
V.

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 petition for writ of certiorari and appendix in the above case has been served upon Karen Ratigan, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 31st day of December, 2014.



Benjamin J. Tripp
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 31st day
of December, 2014



(L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.