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JAN 16 2015

S.C. Supreme Court

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Berkeley County
Deadra L. Jefferson, Circuit Court Judge

JERMAINE T. MCKELVEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-001743

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

Counsel for Jermaine McKelvey respectfully requests an extension of thirty (30) days 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 Jermaine McKelvey 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.

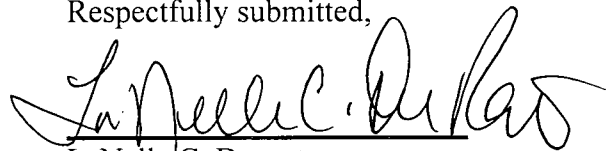
3. Counsel filed the brief of petitioner in the case of Christopher O'Neal Pringle v. State of South Carolina with the Court of Appeals on January 12, 2015. Counsel filed the brief of petitioner in the case of Bruce Wilson v. State of South Carolina with this Court on January 9, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Aaron Smalls v. State of South Carolina with this Court on January 2, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wayne Albeon Scott with the Court of Appeals on December 30, 2014. Counsel filed the brief of petitioner in the case of In the Matter of the Care and Treatment of Christopher Taft with this Court on December 16, 2014. Counsel had an oral argument in the case of The State v. Christopher Whitehead in this Court on December 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Octavius Lamar Whitmire v. State of South Carolina with this Court on December 2, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell L. Williams v. State of South Carolina with this Court on December 1, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix to the Court of Appeals in the case of Bruce Hester v. State of South Carolina with this Court on November 25, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Babb v. State of South Carolina with this Court on November 25, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix to the Court of Appeals in the case of Carmichael Flowers v. State of South Carolina with this Court on November 20, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix to the Court of Appeals in the case of The State v. Roderick Pope with this Court on November 13, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William Yarborough v. State of South Carolina with this Court on November 12, 2014.

Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Midrevious Amone Brown with the Court of Appeals on November 7, 2014. Counsel filed the petition for writ of certiorari in the case of Curtis Randall Sweatt, Jr. v. State of South Carolina with this Court on November 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Alfonzo Alexander with the Court of Appeals on November 4, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Noel Michael Lyles v. State of South Carolina with this Court on October 30, 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,



LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

January 16th, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Berkeley County
Deadra L. Jefferson, Circuit Court Judge

JERMAINE T. MCKELVEY,

PETITIONER,

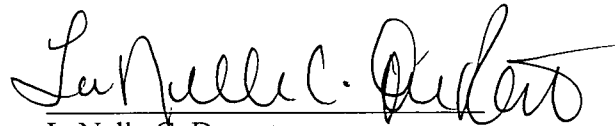
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

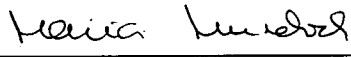
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ashleigh R. Wilson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 16th day of January, 2015.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 16th day
of January, 2014.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 3, 2023.