

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

 ORIGINAL

2012-
206048

Certiorari to Lexington County
R. Lawton McIntosh, Circuit Court Judge

KEVIN COOK,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

RECEIVED

AUG 16 2012

S.C. Supreme Court

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

Counsel for Kevin Cook respectfully requests an extension of a **final** 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 third 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 on August 16, 2012.
2. Counsel for Mr. Cook 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. Counsel is preparing to file the initial brief of Appellant in State v. Richard Pilgrim and State v. Billy Miller in the Court of Appeals. On August 13, 2012 counsel filed the petition for writ of certiorari and appendix in Virgil Culbreath v. State in this Court. On August 2, 2012 counsel filed the return to petition for writ of certiorari to the Court of Appeals in State v. Adrian Eaglin. On August 1, 2012 counsel filed the petition for writ of certiorari to the Court of Appeals and appendix in State v. Anthony Williamson. On July 30, 2012 counsel filed the petition for writ of certiorari and appendix in Jabbar Straws v. State in this Court. On July 26, 2012, counsel will filed initial


brief of Appellant in State v. Donald Altman in the Court of Appeals. On July 23, 2012, counsel filed the petition for writ of certiorari and appendix in Alonzo Jenkins v. State in this Court. On July 20, 2012 counsel filed the initial brief of appellant in State v. Richard Beekman in the Court of Appeals. On July 18, 2012, counsel filed the initial brief of appellant in State v. Billy Lisenby in the Court of Appeals. On July 13, 2012, counsel filed the initial brief of appellant and designation of matter in Antwan Grayson v. State in the Court of Appeals. On July 6, 2012 counsel filed the petitions for writ of certiorari and appendices in Thomas Evans v. State and Chadwick Cole v. State in this Court. On July 9, 2012 counsel filed the petition for writ of certiorari and appendix in Jameek J. Williams v. State in this Court. On today, counsel will file the initial brief of appellant and designation of matter in Antwan Grayson v. State in the Court of Appeals. On July 6, 2012 counsel filed the petitions for writ of certiorari and appendices in Thomas Evans v. State and Chadwick Cole v. State in this Court. On July 9, 2012 counsel filed the petition for writ of certiorari and appendix in Jameek J. Williams v. State.

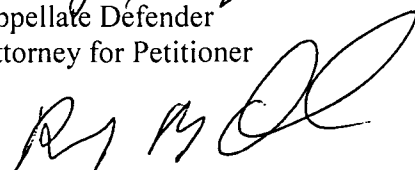
4. Counsel makes this request in good faith and not for purpose of delay.

5. As indicated by signature below, Kaelon Mays, of the South Carolina Attorney General's Office, does not oppose this request.

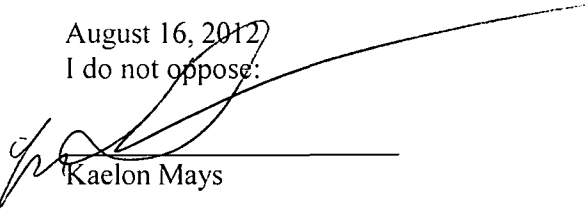
WHEREFORE, the undersigned counsel would respectfully request a **final** thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending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

Respectfully submitted,


Dayne C. Phillips
Appellate Defender
Attorney for Petitioner


Robert M. Dudek
Chief Appellate Defender

August 16, 2012
I do not oppose:


Kaelon Mays