

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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**RECEIVED**

JUL 20 2015

Certiorari to Spartanburg County  
Roger L. Couch, Circuit Court Judge

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**S.C. Supreme Court**

KENNETH D. SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO.2015-000696

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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 Kenneth D. Smith 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 Kenneth D. Smith 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 filed the initial brief of appellant and designation of matter in the case of The State v. William Alexander with the Court of Appeals on July 27, 2015. Counsel filed an initial brief of appellant in the case of In the Matter of the Care and Treatment of Daquan Johnson to the Court of Appeals on July 23, 2015. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of The State v. John Edward Haynes with this Court on July 22, 2015. Counsel filed a petition for writ of certiorari in the case of The State v. Anthony Jackson with the United States Supreme Court on July, 7, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Jeffrey Allen Chapman with the Court of Appeals on July 1, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Blaton Wakeem Smith with the Court of Appeals on June 29, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of State v. Akeem O. Smith with this Court on June 22, 2015. Counsel filed the brief of appellant in the case of State v. Tyress Antonio Littlejohn with the Court of Appeals on June 12, 2015. Counsel had an oral argument in the case of State v. James Allen Johnson before the Court of Appeals on June 9, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew S. Medley with the Court of Appeals on June 8, 2015. Counsel filed the petition for rehearing in the case of State v. John E. Haynes with the Court of Appeals on May 20, 2015.

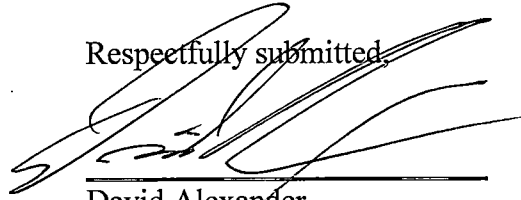
4. Counsel makes this request in good faith and not for purpose of delay.

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,

A handwritten signature in black ink, appearing to read 'David Alexander', written over a horizontal line.

David Alexander  
Appellate Defender

Attorney for Petitioner

July 30, 2015.

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IN THE SUPREME COURT

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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 Karen Ratigan, Esquire, at the Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 30th day of July, 2015.




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David Alexander  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 30th day  
of July, 2015.

  
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(L.S.)  
Notary Public for South Carolina  
My Commission Expires: July 3, 2023.