

STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM Horry COUNTY  
Court of Common Pleas

**RECEIVED**

AUG 17 2015

The Honorable Benjamin H. Culbertson, Circuit Court Judge

**S.C. Supreme Court**

Appellate Case No. 2014-002026

Gary W. Bennett, .....Respondent,

v.

State of South Carolina, ..... Petitioner.

**MOTION FOR EXTENSION OF TIME TO SERVE AND FILE THE REPLY TO THE  
RETURN TO PETITION FOR WRIT OF CERTIORARI**

Petitioner, through undersigned counsel, would respectfully show unto this Court as follows:

**I.**

Respondent served a Return to Petition for Writ of Certiorari in this matter on August 6, 2015.

Petitioner's Reply to this return is due to be filed and served today.

**II.**

In the intervening period since service of the return, undersigned counsel has appeared on behalf of the State during a term of post-conviction relief hearings in the Fifteenth Circuit on August 10-12, 2015. Undersigned counsel also filed the petition and appendix in the case of Noah Mumford v. State, as well as the return petitions in Nearim Blackwell-Selim v. State and Warren K. Smith v. State. Counsel is also scheduled to appear in the Horry County Court of Common Pleas/Non-Jury for several motions hearings on today's date.

**III.**

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order dated March 18, 2009, Petitioner moves for ten (10) day extension in this matter. This request is made in good faith, and not for the purposes of delay. The undersigned will give this matter the highest priority and anticipates his schedule will allow for completion of the reply within the time allotted this brief extension.

**IV.**

WHEREFORE, for the above reasons, Petitioner respectfully requests that this Court grant an extension of time in which to file the Reply to the Return to Petition for Writ of Certiorari.

Respectfully submitted,



JOSHUA L. THOMAS  
Assistant Attorney General  
S.C. Bar No. 100777

ATTORNEY FOR PETITIONER  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
Telephone: (803) 734-3737

August 17, 2015

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal From Horry County  
Honorable Benjamin H. Culbertson, Circuit Court Judge

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GARY W. BENNETT,

RESPONDENT,

vs.

THE STATE,

PETITIONER.

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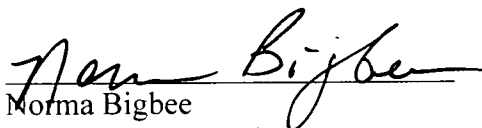
**PROOF OF SERVICE**

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I, Norma Bigbee, certify that I have served the State's Motion For Extension Of Time To Serve and File The Reply To The Return To Petition For Writ of Certiorari on Respondent's attorney by depositing a copy of the same in the United States mail, postage prepaid, addressed to Kathrine H. Hudgins, Esquire, Appellate Defender, SC Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.

This 17<sup>th</sup> day of August, 2015.

  
Norma Bigbee  
Administrative Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

August 17, 2015

**RECEIVED**

AUG 17 2015

**VIA HAND DELIVERY**

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

**S.C. Supreme Court**

RE: **Gary W. Bennett v. State of South Carolina**  
**Appellate Case No: 2014-002026**

Dear Mr. Shearouse:

Enclosed please find the Original and six (6) copies of the Motion for Extension Of Time To Serve And File The Reply To The Return To Petition For Writ of Certiorari in the above case.

Sincerely,

  
Joshua L. Thomas

Assistant Attorney General

JLT/nb

Enclosures

cc: Kathrine H. Hudgins, Esquire (2 copies)  
Ms. Trisha Allen