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AUG 31 2015

S.C. Supreme Court
ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

KENNETH D. SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000696

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

Counsel for Kenneth D. Smith respectfully requests a **final thirty (30) day extension, until September 30, 2015**, 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 are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Mr. 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 a petition for writ of certiorari and accompanying appendix in the case of Jeffrey Riebe v. The State, with this Court on August 27, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyrone D. Ellison with the Court of Appeals on August 25, 2015. Counsel filed a return to petition for writ of certiorari in the case of The State v. Erick Arroyo with this Court on August 14, 2015. Counsel filed a petition for certiorari and accompanying appendix in the case of Jeremiah Turner v. State of South Carolina with this Court on August 13, 2015. Counsel filed the petition for rehearing in the case of The State v. James Allen Johnson on August 12, 2015 with the Court of Appeals. Counsel filed the brief of petitioner in the case of Brenda Gail Cutro v. State of South Carolina on August 12, 2015 with this Court. Counsel filed a petition for rehearing in the case of The State v. Sheldon Lamar Kelly on August 12, 2015 with the Court of Appeals. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Quanell Marquan McIlwain with the Court of Appeals on August 10, 2015. Counsel filed the final brief of appellant in the case of The State v. Jimmy Turner, with the Court of Appeals on August 5, 2015. 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

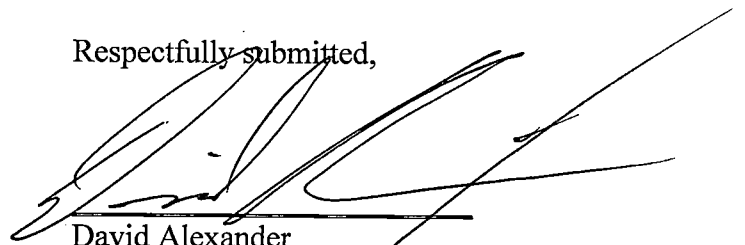
and designation of matter in the case of State v. Blaton Wakeem Smith with the Court of Appeals on June 29, 2015.

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

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

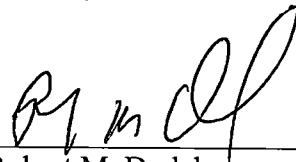
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until September 30, 2015**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender

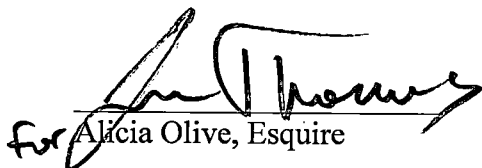
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 31st day of August, 2015.

I consent:



for Alicia Olive, Esquire