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OCT 22 2015

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

S.C. Supreme Court

Certiorari to Richland County

Alison Renee Lee, Circuit Court Judge

NICHOLAS NESMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000968

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

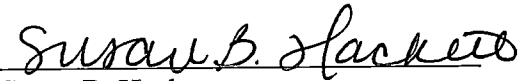
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Abdul Furquan in the Court of Appeals on October 16, 2015. Counsel

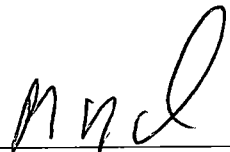
argued in the case of Jomer Hill v. State in the Court of Appeals on October 13, 2015. Counsel filed the Anders Brief of Appellant and Designation of matter along with the Record on Appeal in the case of State v. LaQuincy Williams in the Court of Appeals on October 13, 2015. Counsel argued in the case of State v. David Johnson in this Court on October 8, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derrick Dupree in the Court of Appeals on October 7, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Reginald Gordon in the Court of Appeals on September 29, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of Ahmad Wilkins v. State in this Court on September 25, 2015. Counsel attended the Annual Public Defender Conference from September 21, 2015 through September 23, 2015 in Myrtle Beach, South Carolina. Counsel argued in the case of State v. Harold Bennon Cartwright in the Court of Appeals on September 17, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert T. Kronsberg in the Court of Appeals on September 8, 2015. Counsel filed a petition for writ of certiorari in the case of Stephen Corey Bryant v. State in the United States Supreme Court on September 3, 2015. Counsel filed the petition for rehearing in the case of State v. Leonard Eugene Jenkins in the Court of Appeals on September 3, 2015. Counsel filed the return to petition for writ of certiorari in the case of Michael Milledge v. State in this Court on August 28, 2015. Counsel filed the return to petition for writ of certiorari in the case of Steven Lee Hewitt v. State in this Court on August 21, 2015.

3. This request is made in good faith, and not for purposes of delay.

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. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,


Susan B. Hackett
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

October 22, 2015

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Richland County

Alison Renee Lee, Circuit Court Judge

NICHOLAS NESMITH,

PETITIONER,

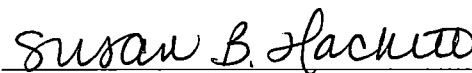
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

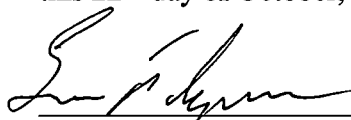
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Clay Mitchell, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 22nd day of October, 2015.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 22nd day of October, 2015.



(L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.