

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

**ORIGINAL**

\_\_\_\_\_  
Certiorari to Richland County

Alison Renee Lee, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

NOV 23 2015

NICHOLAS NESMITH,

S.C. Supreme Court  
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 **final** thirty-day extension, until **December 23, 2015** 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 two prior orders of this Court.
2. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Leonard Eugene Jenkins in this Court on November 18, 2015. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Claude

Dunagin v. State in this Court on November 16, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Shane Adam Burdette in the Court of Appeals on November 12, 2015. Counsel filed the initial brief of respondent and designation of matter in the case of State v. Marvin Brown in the Court of Appeals on November 12, 2015. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Allen Gathings v. State in this Court on November 6, 2015. Counsel filed a petition for rehearing in the case of State v. Marty Baggett in the Court of Appeals on November 5, 2015. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Kesha Grant v. State in this Court on November 3, 2015. Counsel filed the Anders Brief of Appellant and Designation of matter along with the Record on Appeal in the case of State v. Alexander Wilson in the Court of Appeals on October 28, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio Trimmier v. State in this Court on October 27, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Nathaniel Bernard Beeks in this Court on October 23, 2015. Counsel filed the petition for rehearing in the case of Edward Whitner v. State in the in the Court of Appeals on October 22, 2015. 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

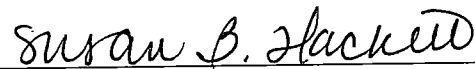
the case of State v. Derrick Dupree in the Court of Appeals on October 7, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Reginald Gordon in the Court of Appeals on September 29, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of Ahmad Wilkins v. State in this Court on September 25, 2015.

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

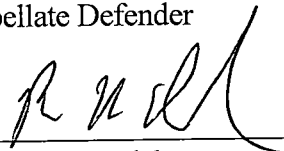
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final** thirty-day extension, until **December 23, 2015** 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,



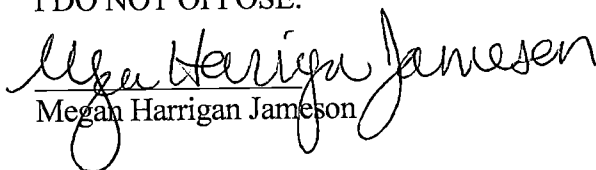
Susan B. Hackett  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

November 23, 2015

I DO NOT OPPOSE:

  
Megan Harrigan Jameson