

**ORIGINAL**

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Spartanburg County

Roger L. Couch, Circuit Court Judge

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**RECEIVED**

DEC 30 2015

**S.C. Supreme Court**

DAVID ROY LYNCH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001874

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

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Counsel respectfully requests a thirty day extension **until January 29, 2016**, in which to file the petition for writ of certiorari 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 is due to be served and filed with the Court today.

2. Counsel 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.

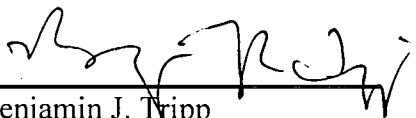
3. On December 18, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Michael Tim Gray v. State with the Supreme Court. On December 15, 2015 counsel filed a brief of petitioner and accompanying appendix in State v. Travaughn Thomas with the Supreme Court. On December 8, 2015 counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Sarah D. Cardwell with the Supreme Court. On December 8, 2015 counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Jon Roseboro with the Supreme Court. On November 30, 2015 counsel filed the petition for rehearing in State v. Teramine Lamont Mcrorey with the Court of Appeals. On November 24, 2015 counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Michael D. Camp with the Supreme Court. On November 24, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Dion O. Taylor v. State with the Supreme Court. On November 18, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Dametrioise Moss v. State with the Supreme Court.

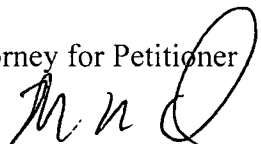
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 in this case based upon the above exigent circumstances.

Respectfully submitted,

  
\_\_\_\_\_  
Benjamin J. Tripp  
Appellate Defender

Attorney for Petitioner  
  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

December 30, 2015

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IN THE SUPREME COURT

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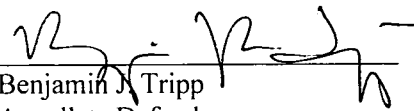
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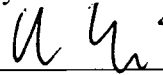
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CERTIFICATE OF SERVICE  
\_\_\_\_\_

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 Alicia Olive, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 30<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
Benjamin J. Tripp  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this this  
30<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires: May 12, 2025.