

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

John C. Hayes, III, Circuit Court Judge

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SEP 21 2012

Court of Appeals

THE STATE,

RESPONDENT,

v.

KEVIN TYRONE BENNETT,

APPELLANT

APPELLATE CASE NO. 2012-207559

PETITION FOR EXTENSION TO FILE
THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

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

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.

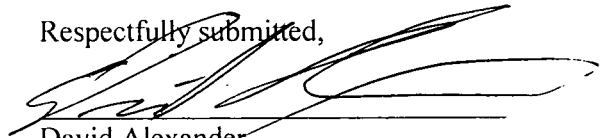
2. Counsel filed the petition for writ of certiorari and accompanying appendix in Bobby Shey Rathburn v. State with this Court on September 19, 2012. On September 12, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Gary White v. State with this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in Marion Alexander Lindsey, a capital appeal in the Supreme Court, on September 7, 2012. Counsel filed the petitions for writ of

certiorari and accompanying appendices in Antonio Glover v. State and Darrell Goss v. State on July 23, 2012. On July 18, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Ricky New in this Court. Counsel filed the initial brief of appellant and designation of matter in State v. Jerry Goode in this Court on July 16, 2012. The brief of respondent in State v. Danny Cortez Brown was filed with this Court on July 11, 2012. Additionally, counsel suffered from an illness which prevented him from working during the early part of August.

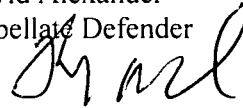
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully 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,



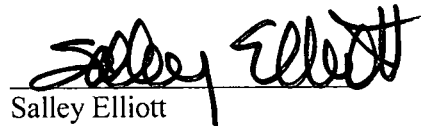
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

September 21, 2012

I do not oppose:



Salley Elliott