

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Spartanburg County  
John C. Hayes, III, Circuit Court Judge

**RECEIVED**  
OCT 22 2012

THE STATE,

**SC Court of Appeals**

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 Vincent Neumon v. State in the Supreme Court on October 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the Supreme Court in David Fowler v. State on October 11, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Tippy Marie Retana v. State in the Supreme Court on October 10, 2012. Counsel filed the petition for writ of certiorari and

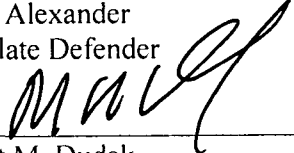
accompanying appendix in Kendall Green v. State in the Supreme Court on October 5, 2012. Counsel had oral argument in this Court in the case of Ernest Pressley v. State on October 2, 2012. Counsel attended the South Carolina Public Defenders Conference during the week of September 24, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Bobby Shey Rathburn v. State with the Supreme 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 the Supreme 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.

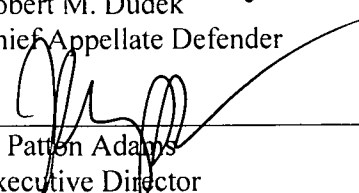
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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,

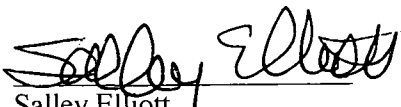
  
\_\_\_\_\_  
David Alexander  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

  
\_\_\_\_\_  
T. Patten Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

October 22, 2012

I do not oppose:

  
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Salley Elliott