

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Colleton County
Edgar W. Dickson, Circuit Court Judge

TIMOTHY ALLEN LEMACKS,

RECEIVED
PETITIONER, APR 06 2017
S.C. SUPREME COURT

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-002387

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

Counsel for Timothy Allen Lemacks respectfully requests an extension of thirty days in which to file the petition for writ of certiorari and appendix 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 are due to be served and filed with the Court today.
2. Counsel for Timothy Allen Lemacks 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 her caseload, counsel hopes that no further extension requests will be required.

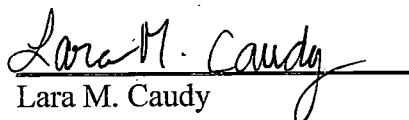
3. On March 31, 2017, counsel filed the brief of petitioner in Frankie Lee Bryant v. State with this Court. On March 30, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Patrick Troy Rice v. State with this Court. On March 23, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Dan L. Temple v. The State with this Court. On March 17, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Carroll Tremayne Washington with the Court of Appeals. On March 10, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Eric Q. Tindal v. The State with this Court. On March 9, 2017, counsel filed the reply brief of petitioner in The State v. Ryan P. Deleston with this Court. On March 8, 2017, counsel had an oral argument in In the Matter of the Care and Treatment of Carl M. Asquith before the Court of Appeals. On February 27, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Sammy Wiggins v. The State with this Court. On February 21, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Brittany Shaunta Pearson with the Court of Appeals. On February 16, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Matthew J. Eargle v. The State with this Court. On February 10, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Brice Di'Von Coley v. The State with this Court. On February 8, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in William Gregg v. The State with this Court.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

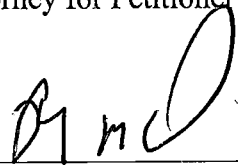
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon

the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,


Lara M. Caudy
Appellate Defender

Attorney for Petitioner


Robert M. Dudek
Chief Appellate Defender

April 6, 2017

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Colleton County
Edgar W. Dickson, Circuit Court Judge

TIMOTHY ALLEN LEMACKS,

PETITIONER,

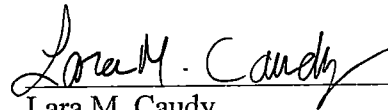
V.

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 Justin J. Hunter, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 6th day of April, 2017.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 6th day
of April, 2017.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.