

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

RECEIVED

MAY 08 2017

TIMOTHY ALLEN LEMACKS,

S.C. SUPREME COURT
PETITIONER,

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 a **final thirty day extension, until June 7, 2017**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.
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.

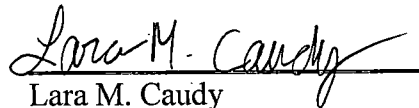
3. On May 5, 2017, counsel filed the reply brief of petitioner in Frankie Lee Bryant v. The State with this Court. On May 3, 2017, counsel had an oral argument in The State v. Wayland Purnell before the Court of Appeals. On April 26, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Mark Lorenzo Blake with the Court of Appeals. On April 25, 2016, counsel filed the initial brief of appellant and designation of matter in The State v. George Holmes with the Court of Appeals. On April 18, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in James A. Tucker v. The State with this Court. On April 7, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Christopher Robert Murray v. The State with this Court. On March 31, 2017, counsel filed the brief of petitioner in Frankie Lee Bryant v. The State with this Court. On March 30, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Patrick Troy Rice v. The 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.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

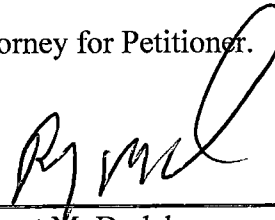
WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until June 7, 2017**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Lara M. Caudy
Appellate Defender

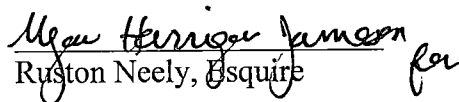
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 8th day of May, 2017.

I consent:



Ruston Neely, Esquire