

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE SUPREME COURT

RECEIVED

Appeal from Spartanburg County

NOV 29 2012

J. Derham Cole, Circuit Court Judge

S.C. Supreme Court

RAYMOND KELLY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212409

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

Counsel for Raymond Kelly petitions the Court for a thirty day extension in which to file the petition for writ of certiorari and accompanying appendix in this case. In support of this petition, counsel shows:


1. The petition for writ of certiorari and accompanying appendix are due to be filed with the Court today. This is the second extension for Mr. Kelly.
2. Counsel for Mr. Kelly respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed the initial brief of appellant and designation of matter in State v. Donte Reid on November 26, 2012. On November 15, 2012, counsel had an oral argument in the South Carolina Supreme Court in State v. Mark Baker. On November 9, 2012, counsel filed the Anders brief of appellant and record on appeal in State v. Timothy Young. Counsel

filed the initial brief of appellant and designation of matter in State v. Alirio Ortiz in the Supreme Court on November 5, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Antrell Felder and the brief of respondent in Cazario Marshall v. State on October 22, 2012. Counsel filed the petitions for writ of certiorari and accompanying appendices in William Cornish v. State and Wiley Post James v. State on October 8, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Archie Hoover v. State on October 4, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Terrance Gist v. State on October 1, 2012.

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

Counsel respectfully requests a thirty day extension, in which to file the petition for writ of certiorari and accompanying appendix in this case based upon the above circumstances.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER

November 29, 2012

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge

RAYMOND KELLY,

PETITIONER,

V.


STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212409

CERTIFICATE OF SERVICE

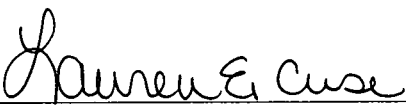
The undersigned attorney hereby certifies that a true copy of the petition for extension of time in which to file the petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Suzanne H. White, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 29th day of November, 2012.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 29th day of November, 2012.



(L.S.)
Notary Public for South Carolina
My Commission Expires: August 23, 2014 .