

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Beaufort County

Honorable Michael G. Nettles, Circuit Court Judge

MELVIN SAMUEL HOLMES,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2017-001052

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

Counsel for Melvin Samuel Holmes respectfully requests a **final thirty (30) day extension, until December 27, 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 Melvin Samuel Holmes respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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.

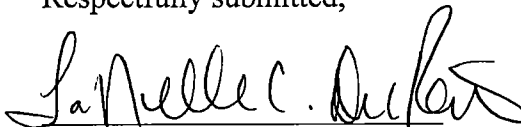
3. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Lance Leon Miles with the Supreme Court on November 14, 2017. Counsel had an oral argument in the case of The State v. Keyon Robinson before the Court of Appeals on November 8, 2017. Counsel had an oral argument before the court of Appeals in the case of The State v. Antwan J. Jett on November 7, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin Ward with the Court of Appeals on November 3, 2017. Counsel filed the petition for writ of certiorari and the petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Dennis Wright v. The State with the Supreme Court on October 24, 2017. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Eric Spears with the Supreme Court on October 19, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Demario Monte Thompson with the Supreme Court on October 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Umar Abdul Clea v. The State with the Supreme Court on October 12, 2017. Counsel had an oral argument in the case of The State v. Johnny Neal Sexton, II with the Court of Appeals on October 4, 2017. Counsel filed the petition for writ of certiorari in the case of John Wayne Brannon v. The State with the Supreme Court on September 29, 2017.

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.

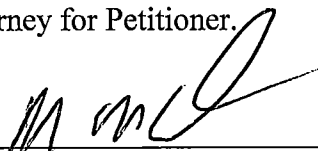
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until December 27, 2017**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. DuRant
Appellate Defender

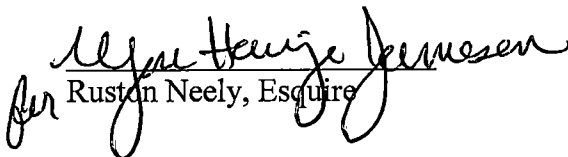
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 22nd day of November, 2017.

I consent:



Ruston Neely, Esquire