

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Pickens County

Honorable John C. Hayes, Circuit Court Judge

KELVIN BERNARD SMITH,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2017-001641

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a thirty day extension, **until January 19, 2018**, 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:

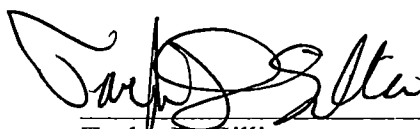
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Yanisha C. Barr with this Court on December 18, 2017. Counsel argued in the case of State v. James Clyde Dill, Jr., in this Court on December 13, 2017. Counsel filed the petition

for writ of certiorari and appendix in the case of The State v. Jimmy Gallishaw with this Court on December 13, 2017. Counsel was a guest speaker at the Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals and appendix in the case of The State v. John William Dobbins with this Court on November 13, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. London Devonta Wooden with this Court on November 13, 2017. Counsel held a reconstruction hearing in the case of Quincy McCants v. State of South Carolina in Orangeburg County on November 8, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Keith Letmon with this Court on November 8, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Robert Keith Moss with the Court of Appeals on November 1, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Kristie Martin Bishop with this Court on October 30, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Curt Davis with the Court of Appeals on October 30, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Chad Morris with the Court of Appeals on October 27, 2017. Counsel filed the return to the petition for writ of certiorari in the case of The State v. Eric Eton Hewins with this Court on October 26, 2017.

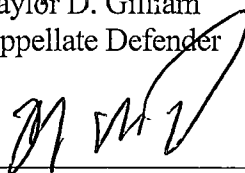
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Taylor D. Gilliam
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 20, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Pickens County

Honorable John C. Hayes, Circuit Court Judge

KELVIN BERNARD SMITH,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

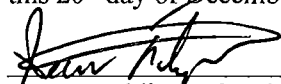
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon DeShawn H. Mitchell, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 20th day of December, 2017.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 20th day of December, 2017.



(L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.