

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Pickens County

Honorable John C. Hayes, Circuit Court Judge

KELVIN BERNARD SMITH,

V.

STATE OF SOUTH CAROLINA,

RECEIVED
JAN 19 2018
S.C. SUPREME COURT
PETITIONER

RESPONDENT

APPELLATE CASE NO 2017-001641

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

Counsel respectfully requests a **final extension of thirty (30) days until February 19, 2018**, 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 is due to be served and filed with the Court today.
2. Counsel 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 his caseload, counsel hopes that no further extension requests will be required.

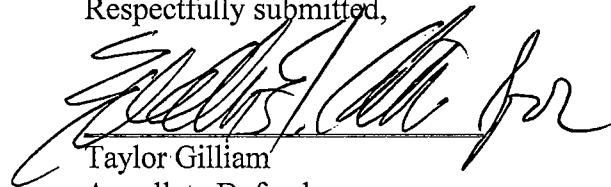
3. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. James Dawkins with this Court on January 16, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Wayne Couey with this Court on January 2, 2018. Counsel filed the 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.

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

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

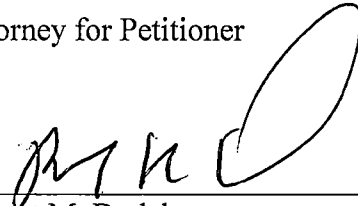
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until February 19, 2018**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Taylor Gilliam
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 19th day of January, 2018.

I Consent:



DeShawn H. Mitchell