

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Florence County

William H. Seals, Jr., Circuit Court Judge

RECEIVED

DEC 18 2012

S.C. Supreme Court

HERMAN DONALD MCKNIGHT,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-212305

MOTION TO FILE THE PETITION FOR EXTENSION
OF TIME TO FILE THE PETITION FOR
WRIT OF CERTIORARI AND ACCOMPANYING APPENDIX
OUT OF TIME

Counsel for Herman Donald McKnight respectfully requests to be allowed to file the petition for writ of certiorari and accompanying appendix out of time in this case. In support of this request, counsel shows:

(1) The petition for writ of certiorari and accompanying appendix were due to be served and filed with the Court on December 13, 2012.

(2) The date to file the petition for writ of certiorari and accompanying appendix was not calendared and an extension request was not made. Counsel is now

requesting a **thirty day extension** in which to serve and file the petition for writ of certiorari and accompanying appendix.


(3) Counsel is handling a heavy caseload of appeals and would respectfully request that the time be held in abeyance pending the Court's decision.

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

(5) Counsel for the Attorney General's office consents to this request, as shown by his signature.

WHEREFORE, counsel for appellant respectfully requests be allowed to file the return to petition for writ of certiorari in this case.

Respectfully submitted,

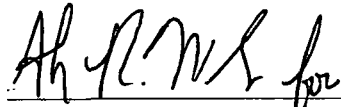


Kathrine H. Hudgins
Appellate Defender

Attorney for Appellant

This 18th day of December, 2012

I consent:



Tyson Andrew Johnson, Sr., Esquire