

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County

G. Thomas Cooper, Jr., Circuit Court Judge

ORIGINAL

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JUN 15 2018

S.C. SUPREME COURT

JOHN M. KIRBY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-000050

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 July 16, 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.

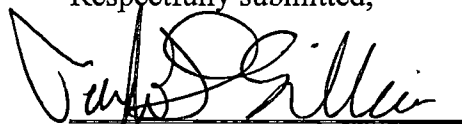
3. Counsel filed the petition for writ of certiorari and appendix in the case of Rondell Carter v. State with this Court on June 11, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Ricky Dale Pace v. State with this Court on June 11, 2018. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Shane Isaac Johnson with the Court of Appeals on June 4, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Victor Weldon v. State with this Court on May 23, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of William Justice v. State with this Court on May 14, 2018. Counsel filed the return to motion to substitute counsel in the case of State v. Derrick Lamont Furtick in the Court of Appeals on May 7, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Victor Jones v. State with this Court on May 7, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Justin Henderson v. State with this Court on April 30, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Randall Matthew Simpson in the Court of Appeals on April 18, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Michael Anthony Rogers v. State with this Court on April 13, 2018.

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.

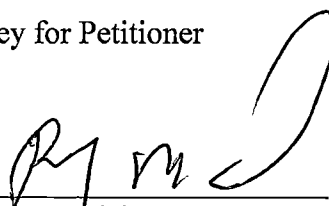
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until July 16, 2018**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Taylor Gilliam
Appellate Defender

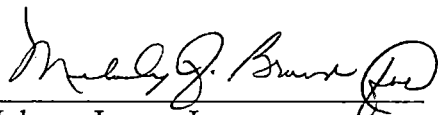
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 15th day of June, 2018.

I Consent:



Johnny James, Jr.