

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Saluda County
Honorable R. Keith Kelly, Circuit Court Judge

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SEP 17 2018

S.C. SUPREME COURT

KENDAL SUDDUTH,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2018-000955

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

Counsel for Kendal Sudduth respectfully requests an extension of thirty (30) days 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 second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.

2. Counsel for Kendal Sudduth 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wilton Q. Greene v. The State with this Court on August 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Christopher Hart with the Court of Appeals on August 22, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Randy Wright with the Court of Appeals on August 22, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony B. Lay v. The State with this Court on August 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Cole Brooks Gray with the Court of Appeals on August 10, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Marty Baggett v. The State with this Court on August 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffrey Michaelson v. The State with this Court on July 30, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Steven Randall Cobb v. The State with this Court on July 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Devante Antonio Grant with the Court of Appeals on July 20, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Antonio Romeo v. The State with this Court on July 18, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Eric Wright v. The State with this Court on July 2, 2018.

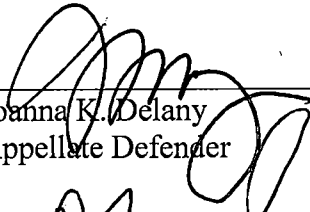
4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office has been informed of this request.

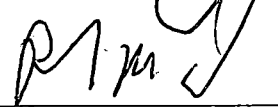
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon

the above exigent circumstances. Counsel requests that time limits for filing the petition for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 17th day of September, 2018.

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KENDAL SUDDUTH,

PETITIONER,

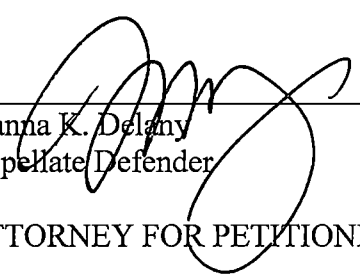
V.

THE STATE,

RESPONDENT.

CERTIFICATE OF SERVICE


I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Kelly Oppenheimer, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 17th day of September, 2018.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 17th day of September, 2018.



(L.S.)
Notary Public for South Carolina
My Commission Expires: July 26, 2028.