

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Anderson County

Alexander S. Macaulay, Circuit Court Judge

RECEIVED

JUN - 6 2012

S.C. Supreme Court

HERMAN BELTON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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

Counsel for Herman Belton 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 today. The Court has granted one previous extension.
- (2) Counsel for Mr. Belton 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) On May 31, 2012, counsel filed the initial brief of appellant and designation of matter in the cases of State v. Kenneth Bolden and State v. Anthony Martin. On May 29, 2012, counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Randall Price, the petition for writ of certiorari and appendix in the case of Marty McKinsey v. State, and the initial brief of appellant and designation of matter in the case of State v. Rashawn Murphy. On May 24, 2012, counsel filed the petition for writ of certiorari to the Court of Appeals and appendix in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez and the petition for writ of certiorari and appendix in the case of Herbert Matthews v. State. On May 23, 2012, counsel had an oral argument in the case of State v. Jeffrey Wesley in the Court of Appeals. On May 16, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. John Mack. On May 14, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Dewayne Littles v. State. On May 8, 2012, counsel had oral argument in the cases of State v. Christopher Manning and State v. Christopher Broadnax in the Court of Appeals. On May 4, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Demetrius Goodwin. On May 3, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Mark Brown v. State and Tarren Richburg v. State.
- (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 has been informed of this request

WHEREFORE, the undersigned counsel would respectfully request an additional extension of thirty (30) days in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "LaNelle C. Durant", is written over a horizontal line.

LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Anderson County
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HERMAN BELTON,

PETITIONER,

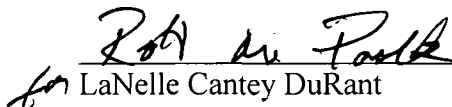
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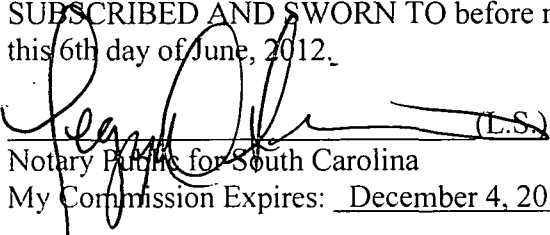
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of 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 Kaelon E. May, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, SC 29201, this 6th day of June, 2012.


for LaNelle Cantey DuRant
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 6th day of June, 2012.


Notary Public for South Carolina

My Commission Expires: December 4, 2017 .