

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

RECEIVED

Eugene C. Griffith, Jr., Circuit Court Judge MAY 16 2013

THE STATE,

SC Court of Appeals

RESPONDENT,

V.

KENNETH ANDREW LYNCH,

APPELLANT

Appellate Case No. 2012-212547

**PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by three prior orders of this Court.
2. Counsel filed the petition for writ of certiorari in the case of State v. Trevee J. Gethers (Cert in the COA) in the Supreme Court on May 15, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Travario Dormell Brunson in the Supreme Court on May 14, 2013. Counsel had an oral argument

in the case of State v. Marshall McGaha in the Court of Appeals on May 8, 2013. Counsel had an oral argument in the case of State v. Sasha Gaskins in the Court of Appeals on May 7, 2013. Counsel had an oral argument in the case of State v. Reginald Nance in the Court of Appeals on May 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kevin Roney in the Court of Appeals on May 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Malik Matthews in the Court of Appeals on April 29, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Thomas Gilliland (Cert in the COA) in the Supreme Court on April 26, 2013. Counsel filed the petition for rehearing in the case of State v. Anthony Hackshaw with the Court of Appeals on April 25, 2013. Counsel filed the petition for rehearing in the case of State v. Connie Dumas in the Court of Appeals on April 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jeffrey Dodd Thomas with the Court of Appeals on April 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremey Durant v. State with the Supreme Court on April 23, 2013. Counsel filed the record on appeal in the case of State v. Derringer Young in the Court of Appeals on April 23, 2013. Counsel filed the record on appeal in the case of State v. Devontay Henson with the Court of Appeals on April 23, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Stevie Lamont Aiken (Cert in the COA) in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Kendrick Dennis (Cert in the COA) in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case Ricky Dean Duncan v. State in the Supreme Court on

April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Floyd v. State with the Supreme Court on April 17, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremy Richard Phillips v. State in the Supreme Court on April 15, 2013. Counsel filed the record on appeal in the case of State v. Sam Harold Smith in the Court of Appeals on April 12, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Ladorrean Collington on April 10, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Sasha Gaskins on April 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Evelyn Buckle v. State with the Supreme Court on April 4, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Rodrigues Carter on April 3, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Loudin Rohr on April 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Clarence Jenkins with the Court of Appeals on April 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lamar D. Williams in the Court of Appeals on March 28, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Damien Inman with the Court of Appeals on March 28, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Albert Spann v. State in the Supreme Court on March 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Ray Rice v. State with the Supreme Court on March 25, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Marion Bonds (Cert in the COA) in the Supreme Court on March 21, 2013. Counsel had

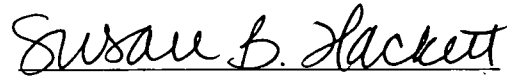
an oral argument with the Supreme Court in the case of State v. Quashon G. Middleton on March 20, 2013. Counsel filed the petition for rehearing in the case of State v. Andrew Lee Harrison in the Supreme Court on March 14, 2013.

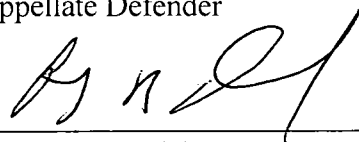
3. This request is made in good faith, and not for purposes of delay.

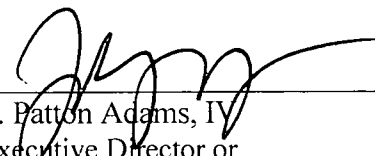
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,


Susan B. Hackett
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

May 16, 2013

I DO NOT OPPOSE:


Donald J. Zelenka, Esquire