

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County

Honorable Bentley Price, Circuit Court Judge

RECEIVED

Jul 13 2022

S.C. SUPREME COURT

ANTHONY MCCLAIN,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER.

APPELLATE CASE NO. 2022-000028

MOTION FOR AN EXTENSION OF TIME TO FILE
THE RETURN TO PETITION FOR WRIT OF CERTIORARI

The undersigned counsel respectfully requests a thirty-day extension from July 13, 2022 until August 12, 2022, in which to file the return to petition for writ of certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The return to petition for writ of certiorari in this case is due to be served and filed today, July 13, 2022, having been extended by one prior order of this Court.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Casey v. The State with this Court on July 11, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Glover v. The State with this

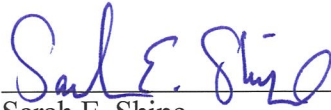
Court on July 8, 2022. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Brandy Harris with the Court of Appeals on July 1, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Omar Williams v. The State with this Court on June 30, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Curtis Elgin with this Court on June 13, 2022. Counsel had an oral argument in the case of State v. Xzariera Okevis Gray in the Court of Appeals on June 9, 2022. Counsel filed the petition for rehearing in the case of The State v. Rickey Tate with the Court of Appeals on June 9, 2022. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Brandal Smith with the Court of Appeals on May 25, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William A. Seawright v. The State with this Court on May 9, 2022.

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

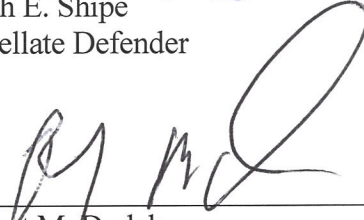
4. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2022. That extended, emailed general consent was dated June 30, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from July 13, 2022 until August 12, 2022. Counsel respectfully requests that the time limits for filing the return to petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 13th day of July 2022.