

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Florence County

Eugene C. Griffith, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

**Jul 27 2022**

S.C. SUPREME COURT

EDWIN SMALL,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2022-000467  
\_\_\_\_\_

MOTION FOR AN EXTENSION OF TIME  
TO FILE THE PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX  
\_\_\_\_\_

The undersigned counsel respectfully requests a thirty-day extension from July 27, 2022 until August 26, 2022, in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today, July 27, 2022, having been extended by one prior order of this Court.
2. Counsel will be filing the petition for writ of certiorari and accompanying appendix in the The State v. Christopher Johnson with this Court on this same day, July 27, 2022.

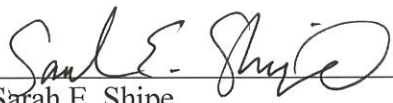
3. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Rickey Tate with this Court on July 25, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Kevin Casey with this Court on July 11, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. David Glover with this Court on July 8, 2022. Counsel filed the Anders brief of appellant, designation of matter, and record on appeal 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 The State v. Omar Williams 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, designation of matter, and record on appeal in the case of The State v. Brandal Smith with the Court of Appeals on May 25, 2022.

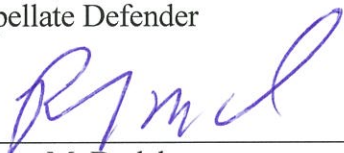
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. 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 27, 2022 until August 26, 2022. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
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Sarah E. Shipe  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

This 27<sup>th</sup> day of July, 2022.