

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Lexington County

Honorable Donald B. Hocker, Circuit Court Judge

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MARION WADE FRYE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2021-001406

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MOTION FOR AN EXTENSION TO SERVE AND FILE  
THE PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX

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Counsel for Marion Wade Frye respectfully requests a **final thirty (30) day extension, from August 5, 2022 until August**, in which to serve and 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 third 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 Marion Wade Frye respectfully submits that extraordinary

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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 *Anders* Brief of Appellant and Record on Appeal in the case of The State v. Tra’vion Marquis Hampton with the Court of Appeals on July 27, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Gregory S. Greene v. The State with this Court on July 22, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jeroid J. Price v. The State with this Court on July 20, 2022. Counsel filed the Brief of Petitioner in the case of Jonathan Holder v. The State with this Court on July 13, 2022. Counsel filed the Petition for Writ of Certiorari, the Petition for Writ of Certiorari Pursuant to *Austin v. State*, and the Appendix in the case of Ronnie C. Swofford v. The State with this Court on July 11, 2022. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Richard K. Galloway v. The State with the Court of Appeals and with this Court on July 5, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Gary A. White v. The State with this Court on June 28, 2022.

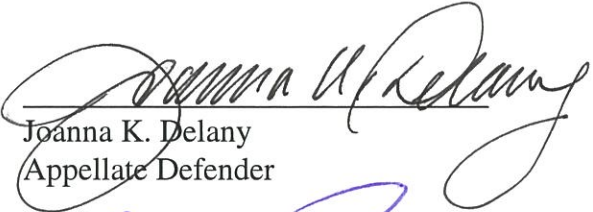
4. Counsel makes this request in good faith and not for purpose of delay.

5. On July 27, 2022, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from August 5, 2022 until September 6, 2022**, in which to serve and file the

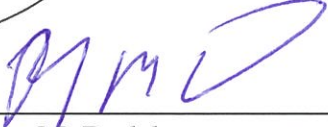
Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Joanna K. Delany  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 5th day of August, 2022.