

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED
Aug 31 2022

Certiorari to Horry County

S.C. SUPREME COURT

Honorable Robert E. Hood, Circuit Court Judge

DAVID M. DIXON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2022-000295

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a thirty-day extension from August 31, 2022 until September 30, 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, August 31, 2022, having been extended by one prior order of this Court.

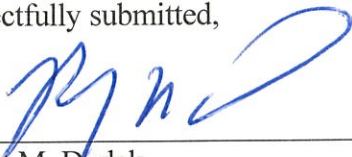
2. Counsel, with co-counsel Kathrine H. Hudgins, is today, August 31, 2022, filing the petition for writ of certiorari in the death penalty case of State v. Jerome Jenkins, Jr., with the United States Supreme Court. Counsel has also been working on the case of The State v. Diante Jermaine Willis with the hope of filing the brief and designation in that case with the Court of Appeals on or before September 9, 2022. Counsel also filed the petition for writ of certiorari in the murder case of Justin Jamal Warner v. State, with the United States Supreme Court on August 26, 2022. Counsel filed the brief of petitioner in the case of The State v. William C. (Billy) Sellers, with this Court on July 28, 2022. Counsel filed the petition for rehearing in the case of The State v. Malette Denise Kimbrough, with the Court of Appeals on July 27, 2022. Counsel filed the amended final reply brief of appellant in the case of The State v. Bryan Austin Seidle with the Court of Appeals on July 26, 2022, with co-counsel Lara M. Caudy. Counsel filed the initial brief of appellant and designation of matter in the case of The The State v. William Outler, Jr., with the Court of Appeals on July 15, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jonathan Richard Rackley with the Court of Appeals on July 18, 2022. Counsel was out of town teaching error preservation at the PD-103 seminar in Greenville from Wednesday, July 6, 2022, until Friday, July 8, 2022. Counsel was out of the office due to an illness from Tuesday, June 21, 2022, until Thursday, June 30, 2022. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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 August 31, 2022. That extended, emailed general consent was dated July 27, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from August 31, 2022 until September 30, 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,



Robert M. Dudek
Chief Appellate Defender

This 31st day of August, 2022.