

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Sep 29 2022

S.C. SUPREME COURT

—————
Certiorari to Horry County

Honorable Robert E. Hood, Circuit Court Judge
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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 **final thirty-day extension, from September 30, 2022 until October 31, 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 tomorrow, September 30, 2022.

2. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dae'Kwon Jaheem Simmons with the Court of Appeals on September 26, 2022.

Counsel presented the Case Law Update PowerPoint presentation at the Annual Public Defender

Conference, in North Myrtle Beach, South Carolina, on September 19-21, 2022. Counsel filed the reply brief of petitioner in the case of Shana Robinson v. State with the Court of Appeals on September 16, 2022. *Counsel also must file the brief of petitioner with this Court in State v. Robert Geter on Friday, October 7, 2022, and brief of petitioner in State v. Gregg Pickrell with this Court on October 10, 2022, and brief of petitioner in the death penalty case of Marion Alexander Lindsey v. State with this Court on October 28, 2022.* Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Diante Jermaine Willis with the Court of Appeals on September 9, 2022. Counsel, with co-counsel Kathrine H. Hudgins, filed the petition for writ of certiorari in the death penalty case of State v. Jerome Jenkins, Jr., with the United States Supreme Court on August 31, 2022. Counsel 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 also has extensive administrative duties as the Chief Appellate Defender.**

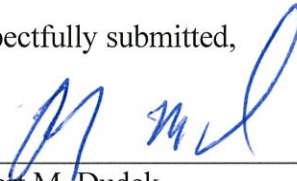
3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2022. That extended, emailed general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

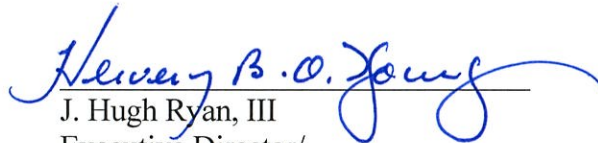
hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, from September 30, 2022 until October 31, 2022**, in which to file the petition for writ of certiorari and accompanying appendix. 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



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 30th day of September, 2022.