

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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**RECEIVED**  
**Oct 19 2022**  
S.C. SUPREME COURT

Certiorari to Newberry County

Honorable R. Kirk Griffin, Circuit Court Judge

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TOABY ALEXANDER TRAPP,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-000283

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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 Toaby Alexander Trapp respectfully requests a **final thirty (30) day extension, from October 19, 2022 until November 18, 2022**, 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 Toaby Alexander Trapp respectfully submits that extraordinary

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 Reply to Return to the Petition for Writ of Certiorari in the case of Worth Edward Cook III v. The State with the Court of Appeals on October 17, 2022. Counsel filed the Petition for Writ of Certiorari Pursuant to *Mack v. State* and the Appendix in the case of John Willie Mack, Sr. v. The State with the Court of Appeals on September 26, 2022. Counsel attended the Annual South Carolina Public Defender Conference from September 19-21, 2022. Counsel filed the Petition for Rehearing in the case of Amy N. Taylor v. The State with the Court of Appeals on September 1, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Maurice L. Robinson v. The State with this Court on August 29, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Odom Bryant v. The State with this Court on August 22, 2022.

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

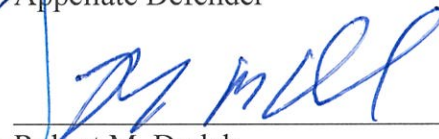
5. On September 28, 2022, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from October 19, 2022 until November 18, 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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Jessica M. Saxon  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

This 19th day of October, 2022.