

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Oct 20 2022
S.C. SUPREME COURT

Certiorari to Richland County

Honorable Roger E. Henderson, Circuit Court Judge

ELIJAH GREEN,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-000878

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

Counsel for Elijah Green respectfully requests an extension of thirty (30) days from October 20, 2022 until November 21, 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 second 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 Elijah Green 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 will appear before this Court for Oral Argument in the case of Tappia D. Green v. The State on October 25, 2022. Counsel filed the Brief of Petitioner in the case of Brittany C. Foster v. The State with the Court of Appeals on September 28, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Bennie D. Mitchell v. The State with this Court on September 22, 2022. Counsel attended the Annual South Carolina Public Defender Conference from September 19-21, 2022. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of In the Interest of Khalid J., A Juvenile Under the Age of Seventeen with the Court of Appeals on September 8, 2022. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Claybon Lewis Atwater with the Court of Appeals on September 1, 2022.

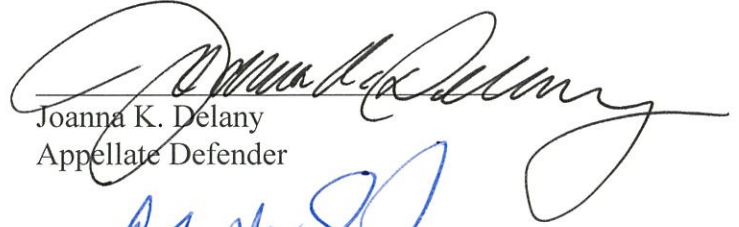
4. Counsel makes this request in good faith and not for purpose of delay.

5. On September 28, 2022, opposing counsel, the Attorney General's Office, 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.

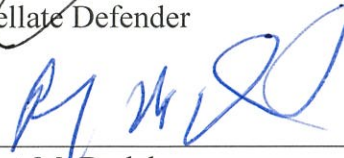
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from October 20, 2022 until November 21, 2022, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of

Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 20th day of October, 2022.