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Oct 21 2022

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Lexington County

Honorable J. Derham Cole, Circuit Court Judge

DAVON ARTJUAWN CLARK,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2022-000751

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

Counsel for petitioner respectfully requests a **final thirty (30) day extension, 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 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 petitioner 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.

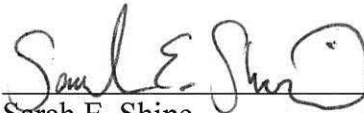
3. Counsel filed the brief of petition in the case of Carmie Josette Nelson v. State with the Supreme Court on October 7, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tamika M. Scott v. State with the Supreme Court on October 6, 2022. From September 19, 2022 through September 21, 2022, counsel attended the Annual Public Defender Conference in Myrtle Beach. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Robert Justin Hord v. The State with the Supreme Court on August 26, 2022. Counsel filed the return to petition for writ of certiorari in the case of Anthony McClain v. The State with the Supreme Court on August 12, 2022. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Christopher Johnson v. The State with the Supreme Court on July 27, 2022. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Rickey Tate with the Supreme Court on July 25, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Casey v. The State with the Supreme Court on July 11, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Glover v. The State with the Supreme Court on July 8, 2022.

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

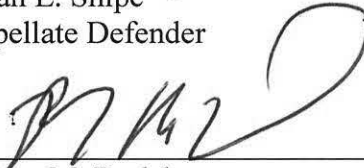
5. On September 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, 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 filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 21st day of October, 2022.