

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Richland County

Honorable Roger E. Henderson, Circuit Court Judge

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ELIJAH GREEN;

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-000878

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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 Elijah Green respectfully requests a **final thirty (30) day extension, from November 21, 2022 until December 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 Elijah Green respectfully submits that extraordinary circumstances

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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 appeared before this Court for Oral Argument in the case of The State v. Jon Paul Smart on November 16, 2022. Counsel filed the Reply Brief of Petitioner in the case of Jonathan Matthew Holder v. The State with this Court on November 2, 2022. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Marquita Smith v. The State with this Court on October 26, 2022. Counsel appeared 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.

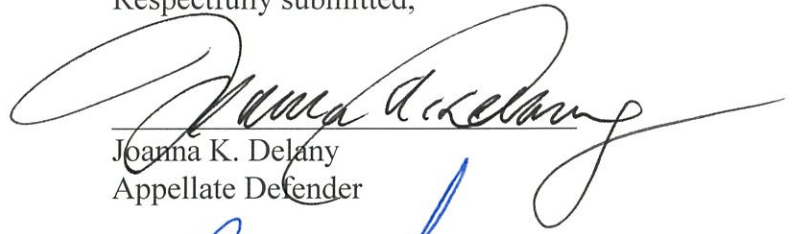
4. Counsel makes this request in good faith and not for purpose of delay.

5. On November 1, 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 November 30, 2022.

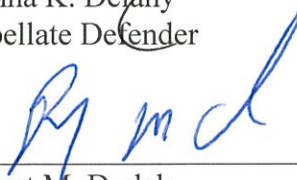
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from November 21, 2022 until December 21, 2022** , in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that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

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

Respectfully submitted,



Joanna K. Delany  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

This 21st day of November, 2022.