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Feb 06 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Honorable G.D. Morgan, Jr., Circuit Court Judge

ASHLEY L. HAMMITT,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001230

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

Counsel for Ashley Louise Hammitt respectfully requests an extension of thirty (30) days from February 6, 2023 until March 8, 2023 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 Ashley Louise Hammitt 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 Initial Brief of Appellant and Designation of Matter in the case of Samir Kevin Shank v. The State with the Court of Appeals on February 2, 2023. Counsel filed the Brief of Appellant and the Record on Appeal in the case of the State v. Bobby Ray McClure, Jr. with the Court of Appeals on January 30, 2023. Counsel filed the Reply to Return to Petition for Writ of Certiorari Pursuant to Mack v. State in the case of John Willie Mack, Sr. v. The State with the Court of Appeals on January 13, 2023. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Samuel Jeter v. The State with this Court on January 6, 2023. Counsel filed the Petition for Certiorari to the Court of Appeals and the Appendix in the case of The State v. Amy N. Taylor with the Supreme Court and the Court of Appeals on December 6, 2022.

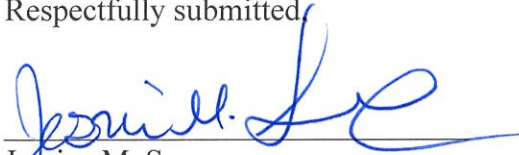
4. Counsel makes this request in good faith and not for purpose of delay.

5. On February 1, 2023, 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 February 28, 2023.

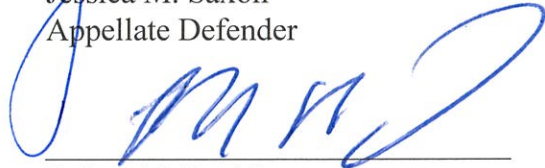
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from February 6, 2023 until March 8, 2023, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of Certiorari and

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

Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 6th day of February, 2023.