

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED
Mar 01 2023
S.C. SUPREME COURT

Certiorari to Jasper County

Honorable Roger L. Couch, Circuit Court Judge

BREON ALEXANDRE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001654

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

Counsel for Breon Alexandre respectfully requests an extension of thirty (30) days from March 1, 2023 until March 31, 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 Breon Alexandre 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 Petition for Writ of Certiorari and the Appendix in the case of Mark Anthony Bayne v. The State with this Court on February 21, 2023. Counsel appeared for Oral Argument before this Court in the case of The State v. Randy Wright on February 8, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Eryk J. Smith with the Court of Appeals on January 30, 2023. Counsel filed the Brief of Petitioner in the case of Richard Kenneth Galloway v. The State with this Court on January 25, 2023. Counsel filed the Brief of Petitioner in the case of The State v. Eric Emanuel English with this Court on December 21, 2022. Counsel filed the Final Brief of Appellant in the case of The State v. Terry Gerrard Gridine with the Court of Appeals on December 19, 2022. Counsel filed the *Anders* Brief of Appellant and Record on Appeal in the case of The State v. Joseph Cooper with the Court of Appeals on December 15, 2022. Counsel filed the *Anders* Brief of Appellant and Record on Appeal in the case of Robert Lee Carter, Jr. v. The State with the Court of Appeals on December 9, 2022. Counsel filed the Reply to Return to Petition for Writ of Certiorari Pursuant to *Austin v. State* in the case of Ronnie C. Swofford, Jr. v. The State with this Court on December 7, 2022. Counsel appeared for Oral Argument in the case of The State v. Rodney Furtick before the Court of Appeals on December 6, 2022.

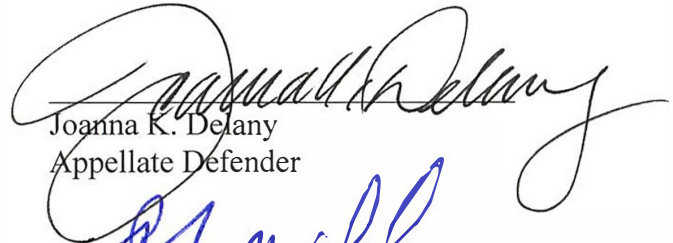
4. Counsel makes this request in good faith and not for purpose of delay.

5. On February 28, 2023, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of general consent granted in writing, by

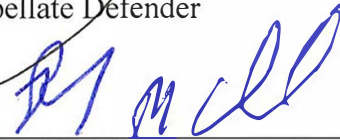
Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from March 1, 2023 until March 31, 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,

A large, stylized handwritten signature in black ink, appearing to read 'Joanna K. Delany', written over a horizontal line.

Joanna K. Delany
Appellate Defender

A handwritten signature in blue ink, appearing to read 'Robert M. Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

This 1st day of March, 2023.