

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County

R. Lawton McIntosh, Circuit Court Judge

EMONTE ANTONIO BROOKS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2022-000605

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

Counsel for petitioner respectfully requests a **final thirty (30) day extension, until April 5, 2023**, in which to 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. The Court has granted counsel two previous extensions.
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

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previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

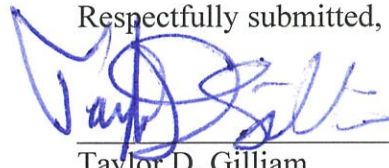
3. Counsel will appear before the Court of Appeals for Oral Argument in the case of Calvin Williams v. State today, March 6, 2023. Counsel is attending the South Carolina Bar Board of Governor's Retreat from February 16-18, 2023. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Richard Douglas Waldrup v. State with the Supreme Court on February 16, 2023. Counsel filed the Johnson petition for writ of certiorari in the case of Johnny Davis v. State with the Supreme Court on February 10, 2023. Counsel attended the American Bar Association Midyear Meeting in New Orleans from February 2-5, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antly Jermaine Scott with the Court of Appeals on February 1, 2023. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Tammy G. Harris v. State with the Supreme Court on January 25, 2023. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Perez Brooks v. State with the Supreme Court on January 17, 2023. Counsel filed the initial brief of appellant and designation in the case of State v. Kendrick Blackwell with the Court of Appeals on January 6, 2023.

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

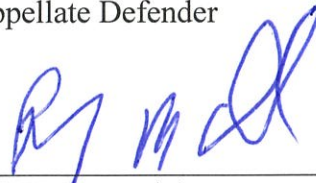
5. On February 28, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until April 5, 2023**, in which to 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,



Taylor D. Gilliam
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 6th day of March, 2023.