

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Abbeville County

Honorable Letitia H. Verdin, Circuit Court Judge

RICKEY SANTIONE HENLEY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001690

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

Counsel for Rickey Santione Henley respectfully requests a **final thirty (30) day extension, from April 7, 2023 until May 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 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 Rickey Santione Henley respectfully submits that extraordinary

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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 Motion to Reconstruct the Record of Petitioner's PCR Hearing or Motion for a New PCR Hearing in the case of Breon Alexandre v. The State with the Supreme Court on March 31, 2023 Counsel filed the Reply Brief of Petitioner in the case of The State v. Richard Kenneth Galloway with the Supreme Court on March 24, 2023. Counsel appeared for a remand hearing before the Honorable Eugene C. Griffith in Greenwood County in the case of The State v. Terrence O. Frazier on March 3, 2023. Counsel filed the *Johnson* Petition for Writ of Certiorari in the case of Mark Anthony Bayne v. The State with the Supreme Court on February 21, 2023. Counsel appeared for Oral Argument before the Supreme 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 the Supreme Court on January 25, 2023.

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

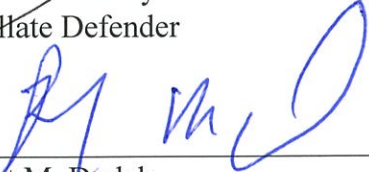
5. On April 4, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through April 30, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from April 7, 2023 until May 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 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 7th day of April, 2023.