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Jul 14 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Horry County

Honorable H. Steven DeBerry IV, Circuit Court Judge

MITCHELL CHEATHAM,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-000119

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

Counsel for Mitchell Douglas Cheatham respectfully requests a **final thirty (30) day extension, from July 14, 2023, until August 14, 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 Mitchell Douglas Cheatham 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 his caseload, counsel hopes that no further extension requests will be required.

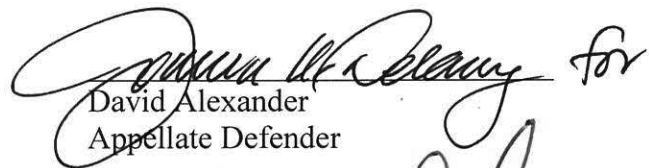
3. Counsel filed the Anders Brief of Appellant, and Record on Appeal in the case of The State v. Arkevus Cauthen with the Court of Appeals on July 12, 2023. Counsel filed the Anders Brief of Appellant, and Record on Appeal in the case of The State v. Shane Robert Clamp with the Court of Appeals on July 5, 2023. Counsel filed the Anders Brief of Appellant, and Record on Appeal in the case of The State v. Dylan Trey Foster with the Court of Appeals on June 12, 2023. Counsel filed the Anders Brief of Appellant, and Record on Appeal in the case of The State v. Leonard Mickens with the Court of Appeals on June 12, 2023.

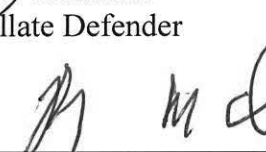
4. Counsel makes this request in good faith and not for purpose of delay.

5. On June 30, 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 July 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from July 14, 2023, until August 14, 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,

 for
David Alexander
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

This 14th day of July, 2023.