

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Jul 31 2023

S.C. SUPREME COURT

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Certiorari to Sumter County

Honorable Clifton Newman, Circuit Court Judge

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GENE D. EVANS, JR.,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2022-001590

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

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Counsel for Gene David Evans, Jr. respectfully requests an extension of thirty (30) days from July 31, 2023, until August 30, 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 Gene David Evans, Jr. 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.

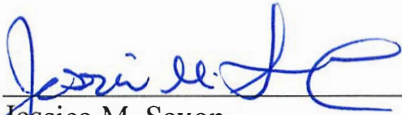
3. Counsel will file the Petition for Writ of Certiorari and Appendix in the case of Richard A. Woodbury v. The State with this Court today, July 31, 2023. Counsel filed the Reply to Return to Petition for Writ of Certiorari in the case of Maurice Anthony Odom v. The State with this Court on July 24, 2023. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Harold Jones III v. The State with this Court on July 19, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Ariel S. Robinson with the Court of Appeals on July 12, 2023. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. Gary M. Wirtz with this Court on July 3, 2023.

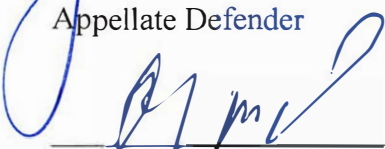
4. Counsel makes this request in good faith and not for purpose of delay.

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 thirty (30) day extension from July 31, 2023, until August 30, 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,

  
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Jessica M. Saxon  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

This 31st day of July, 2023.