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Aug 21 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Beaufort County

Honorable DeAndrea G. Benjamin, Circuit Court Judge

HENRY PINCKNEY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-000396

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

Counsel for Henry Pinckney respectfully requests an extension of thirty (30) days from August 21, 2023, until September 20, 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 Henry Pinckney 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 Brief of Respondent in the case of In The Matter of the Care and Treatment of Ronald MJ Gregg with this Court on August 14, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Mitchell Cheatham v. The State with this Court on August 14, 2023. On July 21, 2023, Counsel attended and was a speaker at a CLE. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of In the Matter of the Care and Treatment of Antonio D. Patterson with the Court of Appeals on July 19, 2023.

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

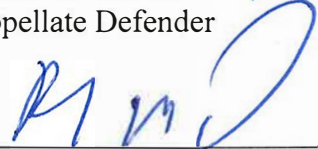
5. On August 1, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from August 21, 2023, until September 20, 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,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 21st day of August, 2023.