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Oct 11 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Dorchester County
Honorable Kristi F. Curtis, Circuit Court Judge

MARTIN D. FLOYD,

PETITIONER

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-000968

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

Counsel for Martin D. Floyd respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and accompanying 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 accompanying appendix are due to be served and filed with the Court today.

2. Counsel for Martin D. Floyd 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.

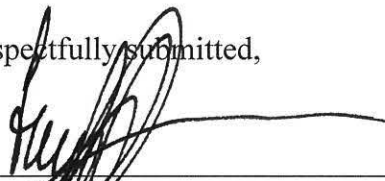
3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Tyler Ellaree Hopkins with the Court of Appeals on September 19, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Candie Shearin with the Court of Appeals on August 31, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Demario Thompson v. The State with the Supreme Court on August 25, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shaun Rogers v. The State with the Supreme Court on August 7, 2023.

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

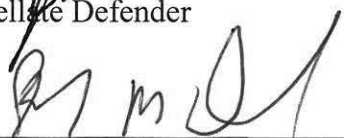
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty-day general consent granted by email from Deputy Attorney General Donald J. Zelenka dated October 3, 2023 for all Appellate Defense extensions through October 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and accompanying appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Gary H. Johnson
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 11th day of October, 2023.