

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

Nov 27 2023

\_\_\_\_\_  
Certiorari to Horry County

S.C. SUPREME COURT

Debra R. McCaslin, Circuit Court Judge  
\_\_\_\_\_

DAVID JAMES WELCH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2023-000811  
\_\_\_\_\_

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

Counsel for Petitioner respectfully requests an extension of thirty (30) days 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 Petitioner 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.

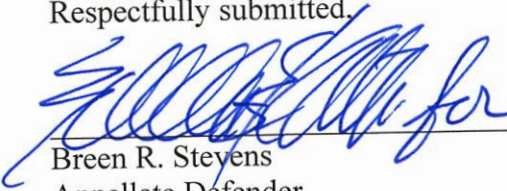
3. Counsel attended the Public Defenders 101: Fundamentals of the Profession Workshop from November 20-21, 2023, in Columbia, SC. Counsel argued on behalf of PCR applicant during a reconstruction hearing in the case of Jacoby Fields v. State before Judge Jefferson on November 9, 2023. Counsel filed the Anders brief of appellant in the case of State v. Kenneth Mar Keith Chisolm with the Court of Appeals on October 30, 2023. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Alexander Rasheen Matthews v. State with the Supreme Court on October 20, 2023. From October 9, 2023 through October 11, 2023, counsel attended the Annual Public Defender Conference in Myrtle Beach. On October 4, 2023, counsel had an oral argument in The State v. Demontay Markeith Payne before the Supreme Court. Counsel filed the initial brief of appellant in the case of State v. Sosa Croft with the Court of Appeals on September 22, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Harper v. State with the Supreme Court on September 6, 2023. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of William T. Smith v. State with the Supreme Court on August 23, 2023. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Sidney Stclair Moorner with the Supreme Court on August 18, 2023.


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

5. On October 31, 20223 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 November 30, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension, 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,

  
Breen R. Stevens  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

This 27th day of November, 2023.