

RECEIVED

Dec 13 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable G.D. Morgan, Jr., Circuit Court Judge

STEPHENO ALSTON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001011

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

Counsel for Stepheno Alston 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 Stepheno Alston 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 had an oral argument in the case of Earnest Maurice Allen v. The State before the Court of Appeals on December 5, 2023. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Mitchell Logan Hinson v. The State with the Supreme Court on December 4, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Joseph Eugene Edmond with the Court of Appeals on November 30, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Maurice P. Singleton with the Court of Appeals on November 15, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Steven Lewis v. The State with the Supreme Court on November 2, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Carl Stone v. The State with the Supreme Court on October 26, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Allen Charron Williams v. The State with the Supreme Court on October 19, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Daniel Lewis Crowe v. The State with the Supreme Court on October 5, 2023. Counsel had an oral argument in the case of The State v. Byron Labron Rivers before the Supreme Court on October 3, 2023. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Kayla M. Cook with the Supreme Court on September 27, 2023.

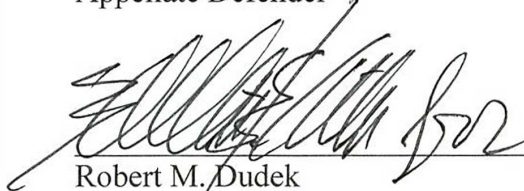
4. Counsel makes this request in good faith and not for purpose of delay.

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 December 4, 2023 for all Appellate Defense extensions through December 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,


Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

This 13th day of December, 2023.