

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Horry County
Debra R. McCaslin, Circuit Court Judge

RECEIVED

Dec 27 2023

S.C. SUPREME COURT

DAVID JAMES WELCH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2023-000811

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

Counsel for petitioner respectfully requests a **final thirty (30) day extension, until January 26, 2024**, in which to 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 third 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. The Court has granted counsel two previous extensions.
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 her caseload, counsel hopes that no further extension requests will be required.

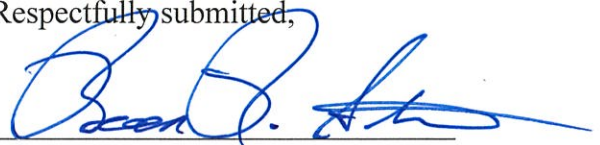
3. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Tronahz J.S. Whittington with the Court of Appeals on December 15, 2023. Counsel filed the initial brief of appellant in the case of State v. Jeremy Savoy Cornish with the Court of Appeals on November 28, 2023. Counsel presented at 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.

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

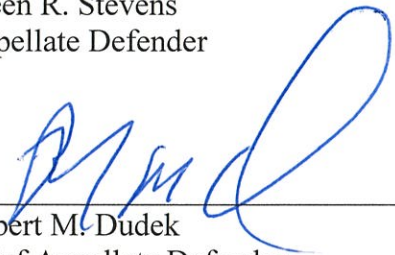
5. On December 4, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until January 26, 2024**, in which to file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for 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 December, 2023.