

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Jan 11 2024

S.C. SUPREME COURT

Certiorari to Dorchester County

Honorable Heath P. Taylor, Circuit Court Judge

JUSTEN L. WILKES,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-000509

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

Counsel for Justen L. Wilkes respectfully requests a **final thirty (30) day extension, from January 11, 2024, until February 12, 2024**, 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 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.
2. Counsel for Justen L. Wilkes 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 Petition for Writ of Certiorari and Appendix in the case of Jeremiah Johnson v. The State with the Supreme Court on January 8, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Celia Windham with the Court of Appeals on January 5, 2024. Counsel filed the Return to Petition for Writ of Certiorari in the case of Mitchell Rivers v. The State with the Supreme Court on January 2, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Lillian Mae Bates with the Court of Appeals on December 11, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Anthony M. Wise v. The State with the Supreme Court on December 6, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Michael Kelley v. The State with the Supreme Court on November 27, 2023. Counsel had an oral argument in the case of George N. Moses v. The State before the Court of Appeals on November 11, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jodi Stapleton v. The State with the Supreme Court on October 16, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Douglas S. Turner with the Court of Appeals on October 5, 2023. Counsel filed the Brief of Petitioner in the case of Holly Jo Thompson v. The State with the Court of Appeals on September 28, 2023.

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

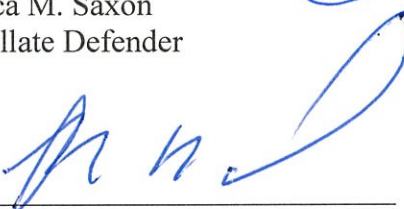
5. On January 2, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from January 11, 2024, until February 12, 2024**, 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 filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 11th day of January, 2024.