

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Mar 04 2024

S.C. SUPREME COURT

Certiorari to Cherokee County

Honorable Daniel D. Hall, Circuit Court Judge

MARK A. EARLS, JR.

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001413

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

Counsel for Mark Antonio Earls respectfully requests a **final thirty (30) day extension, until April 3, 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 Mark Antonio Earls 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. On March 1, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Randy Dean Grainger with the Court of Appeals. On February 20, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. JeJauncey Harrington with the Court of Appeals. On February 2, 2024, counsel, along with co-counsel, filed a reply in State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court. On January 24, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Clayton Thomas Jones with the Court of Appeals. On January 18, 2024, counsel filed an amended application for post-conviction relief in Artrell Hickson v. The State with the Aiken County Clerk of Court. On January 17, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Reno Blakely with the Court of Appeals. On January 9, 2024, counsel had an oral argument in The State v. Stacardo Grissett before the Supreme Court. On January 8, 2024, counsel filed the petition for writ of certiorari and accompanying appendix in William Funderburke v. The State with the Supreme Court.

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

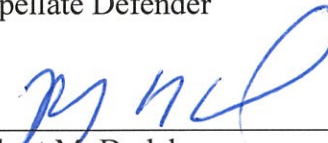
5. On February 28, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until April 3, 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,



Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 4th day of March, 2024.