

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County

Honorable J. Mark Hayes, II, Circuit Court Judge

STORM RILEY BRIAN MCCARTHY,

RESPONDENT

V.

STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2023-001157

MOTION FOR AN EXTENSION OF TIME
TO FILE THE RETURN TO PETITION FOR WRIT OF CERTIORARI

Counsel for Storm Riley Brian McCarthy respectfully requests an extension of thirty (30) days from March 13, 2024 until April 12, 2024 in which to serve and file the Return to Petition for Writ of Certiorari 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 Return to Petition for Writ of Certiorari is due to be served and filed with the Court today.
2. Counsel for Storm Riley Brian McCarthy respectfully submits that extraordinary

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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 appeared for Oral Argument in the case of The State v. Eric Emanuel English before this Court on March 6, 2024. Counsel filed the Return to Motion to Relieve Counsel in the case of Richard Douglas Waldrop v. The State with the Court of Appeals on March 1, 2024. Counsel filed the Motion to Hold in Abeyance in the case of Marvin Donte Bryan v. The State with the Court of Appeals on March 1, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Keylan J. Durham v. The State with this Court on February 26, 2024. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. Rodney Jerome Furtick with this Court on February 23, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Tyrone M. Benn v. The State with this Court on February 20, 2024. Counsel appeared for Oral Argument in the case of Brittany C. Foster v. The State before the Court of Appeals on February 6, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Brian K. Spears v. The State with this Court on January 30, 2024.

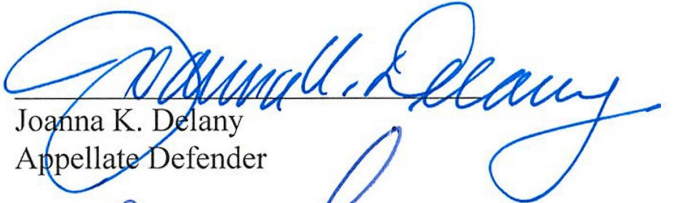
4. Counsel makes this request in good faith and not for purpose of delay.

5. On February 28, 2024, opposing counsel, the Office of the Attorney General, 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.

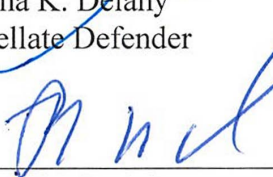
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day

extension from March 13, 2024 until April 12, 2024, in which to serve and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Return to Petition for Writ of Certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 13th day of March, 2024.