

RECEIVED
Mar 21 2024
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Marlboro County

Honorable Michael S. Holt, Circuit Court Judge

DERRICK DUPREE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001538

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

Counsel for Derrick Dupree, respectfully requests an extension of thirty (30) days from March 21, 2024, until April 22, 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 second 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 Derrick Dupree 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.

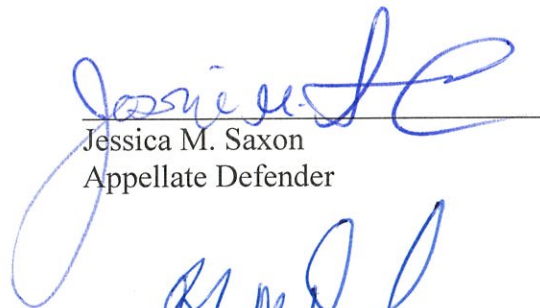
3. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Terrance G. Adams v. The State with the Court of Appeals on March 14, 2024. Counsel filed the Anders Brief of Appellant, Designation of Matter and Record on Appeal in the case of The State v. Michael Lindsay Faile with the Court of Appeals on March 12, 2024. Counsel filed the Brief of Petitioner in the case of Johnny Haggins v. The State with the Court of Appeals on February 23, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Justen L. Wilkes v. The State with the Supreme Court on February 12, 2024. Counsel appeared before the Court of Appeals for Oral Argument in the case of Devatee Tymar Clinton v. The State on February 6, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Demetrius A. Goodwin v. The State with the Supreme Court on January 16, 2024. 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.

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

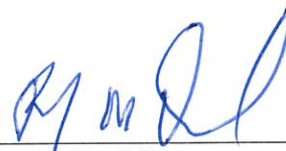
5. On February 28, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from March 21, 2024, until April 22, 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 serving and 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 21st day of March, 2024.