

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

---

Certiorari to Florence County

Honorable Debra R. McCaslin, Circuit Court Judge

---

CORY NETTLES ALLEN,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001925

---

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

---

Counsel for Cory Nettles Allen respectfully requests an extension of thirty (30) days from April 8, 2024, until May 8, 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 Cory Nettles Allen respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

RECEIVED

Apr 08 2024

S.C. SUPREME COURT

number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

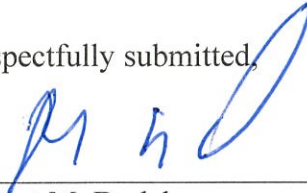
3. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Douglas Young v. The State with this Court on April 3, 2024. On March 12, 2024, Counsel presented oral argument in the case of Victor D. Smith v. The State before the Court of Appeals. Counsel filed the Brief of Appellant in the case of The State v. John A. Welch with the Court of Appeals on March 5, 2024. Counsel filed the Motion for Stay of Execution and Appointment of Post-Conviction Relief Judge in the case of The State v. Timothy Ray Jones, Jr. with this Court on March 5, 2024. Counsel was a presenter at the S.C. Bar Criminal Practice CLE on February 23, 2024, in Columbia, South Carolina. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Anthony Argoe with the Court of Appeals on February 7, 2024. Counsel, along with co-counsels David Alexander and Lara M. Caudy, filed the Reply to the Brief in Opposition in the case of The State of South Carolina v. Timothy Ray Jones with the United States Supreme Court on February 2, 2024. Counsel filed the Initial Brief of Appellant in the case of The State v. Tirik Johnson-Epps with the Court of Appeals on January 9, 2024. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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

5. On March 29, 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 April 30, 2024.

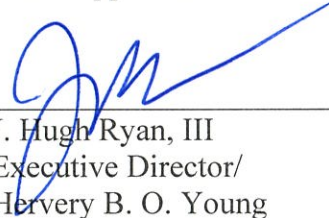
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from April 8, 2024, until May 8, 2024, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



---

Robert M. Dudek  
Chief Appellate Defender



---

J. Hugh Ryan, III  
Executive Director/  
Hervey B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 8th day of April, 2024.