

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 TO SERVE AND FILE
THE RETURN TO PETITION FOR WRIT OF CERTIORARI

Counsel for Storm Riley Brian McCarthy respectfully requests a **final thirty (30) day extension, from April 12, 2024 until May 13, 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 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 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 filed the Petition for Writ of Certiorari and Appendix in the case of Timothy Harrison v. The State with this Court on April 5, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Marvin Donte Bryan with the Court of Appeals on April 1, 2024. Counsel filed the Petition for Rehearing in the case of Brittany C. Foster v. The State with the Court of Appeals on March 28, 2024. Counsel appeared for Oral Argument in the case of The State v. Richard Kenneth Galloway before this Court on March 27, 2024. 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.

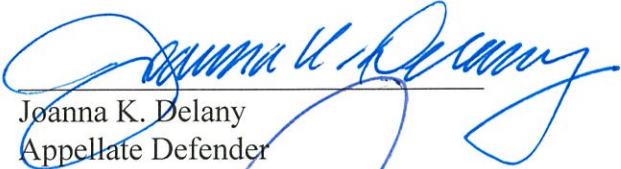
4. Counsel makes this request in good faith and not for purpose of delay.

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 **final thirty (30) day extension from April 12, 2024 until May 13, 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,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 12th day of April, 2024.