

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

Counsel for Cory Nettles Allen respectfully requests a **final thirty (30) day extension, from May 8, 2024, until June 7, 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 Cory Nettles Allen respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 plans to file the Initial Brief of Appellant in the case of The State v. Freddy Ray Harris with this Court tomorrow, May 9, 2024, or Monday, May 13, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Mason Yarborough with the Court of Appeals on May 1, 2024. Counsel filed the Petition for Rehearing in the case of The State v. Shana Robinson with the Court of Appeals on April 25, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Raymond Martinez with the Court of Appeals on April 17, 2024. 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 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 April 30, 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 May 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from May 8, 2024, until June 7, 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,



Robert M. Dudek
Chief Appellate Defender



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

This 8th day of May, 2024.