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Nov 12 2024

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County

Honorable Jocelyn J. Newman, Circuit Court Judge

KEVIN LAWRENCE PEARSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2024-000233

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

Counsel for Kevin Lawrence Pearson respectfully requests a **final thirty (30) day extension, from November 12, 2024 until December 12, 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 Kevin Lawrence Pearson 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.

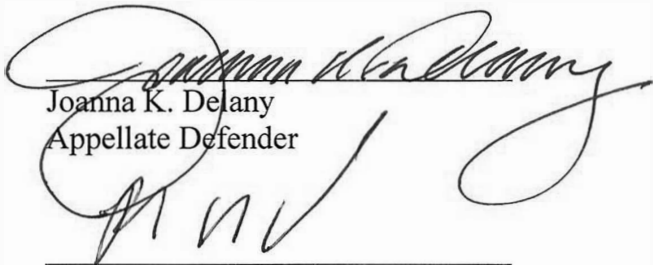
3. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Benjamin L. Nation with the Court of Appeals on November 8, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kyle Wayne Way v. State with the Supreme Court on October 30, 2024. Counsel filed the *Johnson* Petition for Writ of Certiorari and the Appendix in the case of Nathaniel Nesmith v. State with the Supreme Court on October 21, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jason J. Otero with the Court of Appeals on October 11, 2024. Counsel filed the *Anders* Brief of Appellant and Record on Appeal in the case of The State v. Raekwon M. Ellerbe with the Court of Appeals on October 9, 2024.

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

5. On October 31, 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 November 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from November 12, 2024 until December 12, 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,

A handwritten signature in black ink, appearing to read 'Joanna K. Delany', written over a horizontal line.

Joanna K. Delany
Appellate Defender

A handwritten signature in black ink, appearing to read 'Robert M. Dudek', written over a horizontal line.
Robert M. Dudek
Chief Appellate Defender

This 12th day of November, 2024.