

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Kershaw County

Honorable Clifton Newman, Circuit Court Judge

RECEIVED

AUG 19 2019

S.C. SUPREME COURT

DERRICK MCDONALD,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2019-000317

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

Counsel for Derrick McDonald respectfully requests an extension of thirty (30) days in which to 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 McDonald 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.

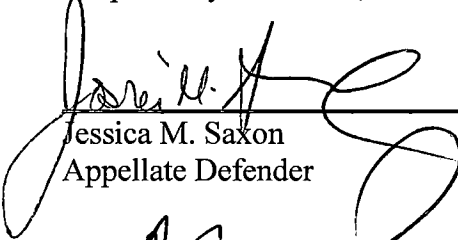
3. Counsel filed the reply to brief of petitioner in the case of John Willie Mack v. The State on August 15, 2019 with the Court of Appeals. Counsel filed the petition for writ of certiorari in the case of Jason Johnson v. The State on August 9, 2019 with this Court. Counsel filed the petition for writ of certiorari in the case of David Coon v. The State on July 10, 2019 with this Court. Counsel is preparing and consulting with Chief Appellate Defender, Robert M. Dudek, on the petition for writ of certiorari and accompanying appendix in the cases of Eric Adams v. The State, and Justin Cone v. The State which she plans to file with this Court in the upcoming weeks.

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

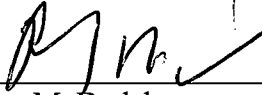
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension, in which to 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 be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

August 19, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Kershaw County
Honorable Clifton Newman, Circuit Court Judge

DERRICK MCDONALD,

PETITIONER,

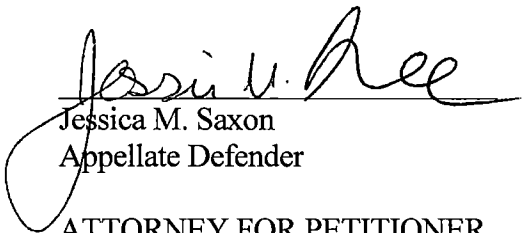
V.

STATE OF SOUTH CAROLINA

RESPONDENT

CERTIFICATE OF SERVICE

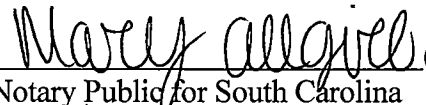
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Megan H. Jameson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 19th day of August, 2019.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 19th day
of August, 2019.



Notary Public for South Carolina
My Commission Expires: May 12, 2027.