

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Kershaw County

Honorable Clifton Newman, Circuit Court Judge

DERRICK MCDONALD,

ORIGINAL
RECEIVED
OCT 18 2019
S.C. SUPREME COURT
PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2019-000317

MOTION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a **final five business day extension, until October 25, 2019**, in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today, in this murder case, having been extended by prior orders of this Court. The appendix in this murder case has **two thousand sixty-five pages**.

2. **Due to a calendaring error, counsel for appellant believed that the petition for writ of certiorari and accompanying appendix in this case were due to be served and filed next month. Counsel is close to finishing the petition and will make every effort to file it before October 25, 2019.** Counsel filed the initial brief of appellant in the case of The State v.

Marcus Todd on September 27, 2019 with the Court of Appeals. Counsel filed the return to petition for writ of certiorari in the case of Michael Williams v. The State on September 16, 2019 with this Court. Counsel filed the return to petition for writ of certiorari in the case of Marie Faltas v. The State on September 13, 2019 with this Court, without taking any extensions. Counsel filed the petition for writ of certiorari in the case of Albert Taylor v. The State on September 3, 2019 with this Court. 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.

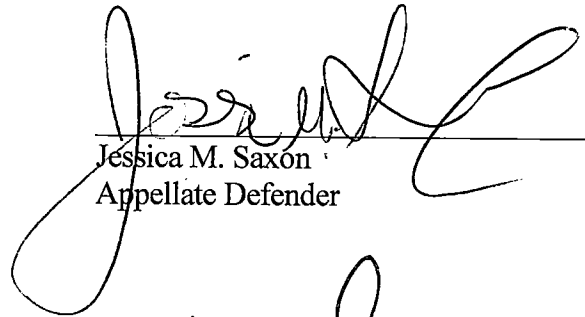
3. Counsel is preparing and consulting with Chief Appellate Defender, Robert M. Dudek, on the petition for writ of certiorari and accompanying appendix in the cases of Eric Adams v. The State, and Elijah Brown v. The State, which she plans to file with this Court in the upcoming weeks and the initial brief of appellant and designation of matter in the cases of The State v. Samuel Jeter, and The State v. Evodio Hernandez-Santo, which she plans to file with the Court of Appeals in the upcoming weeks.

4. As indicated by her consent below, counsel for the state does not oppose this request.

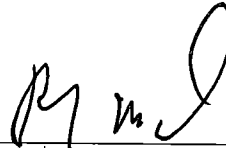
5. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final five business day extension, until October 25, 2019**. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,




Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

October 18, 2019

I do not oppose:


for Megan H. Jameson, Esquire