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OCT 30 2019

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Paul M. Burch, Circuit Court Judge

MARION ALEXANDER LINDSEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001271

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

The undersigned counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced capital 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.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James A. Gardner v. The State with this Court on October 28, 2019. Counsel also had an oral argument before the Court of Appeals on October 22, 2019 in State v. Deshandon Franks in

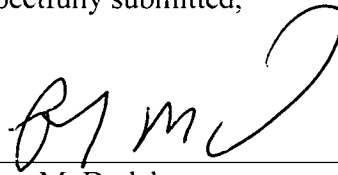
Clemson, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dashaun Livaughn Simmons with the Court of Appeals on October 21, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jakeivan A. Pulley v. The State with this Court on October 18, 2019. Counsel filed the two issue petition for writ of certiorari and accompanying appendix in the case of The State v. Ahshaad Mykiel Owens with this Court on October 14, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. William C. (Billy) Sellers with the Court of Appeals on October 2, 2019. Counsel presented the Case Law Update PowerPoint presentation at the annual Public Defender Conference, which was held in Myrtle Beach, South Carolina, on September 23-25, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Michael Manners v. The State with this Court on September 20, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Isaiah Gadson, Jr., with the Court of Appeals on September 13, 2019. Counsel filed the initial reply brief of appellant in the case of The State v. Nick Russell Evangelista with the Court of Appeals on September 5, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Al Martinez Green v. The State with this Court on August 28, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training four less experienced appellate defenders and reviewing all their filings in advance.**

3. 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.

4. Appellate defenders David Alexander and Lara Caudy are co-counsel on this case, and they have very busy calendars, as well.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,

A handwritten signature in black ink, appearing to read 'R M Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

David Alexander
Appellate Defender

Lara M. Caudy
Appellate Defender

This 30th day of October, 2019

STATE OF SOUTH CAROLINA
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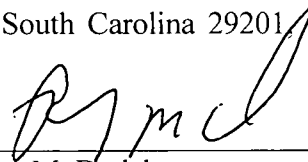
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001271

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Donald J. Zelenka, Esquire, and Johnny Ellis James, Jr., Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 30th day of October, 2019.



Robert M. Dudek
Chief Appellate Defender

David Alexander
Appellate Defender

Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 30th day of October, 2019.

Mary Allaire (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12, 2027.