

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County
Paul M. Burch, Circuit Court Judge

HENRY L. GRAY,

V.

THE STATE,

ORIGINAL

RECEIVED
OCT 31 2019
S.C. SUPREME COURT
PETITIONER

RESPONDENT.

APPELLATE CASE NO. 2019-001127

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

Counsel for Henry L. Gray 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:

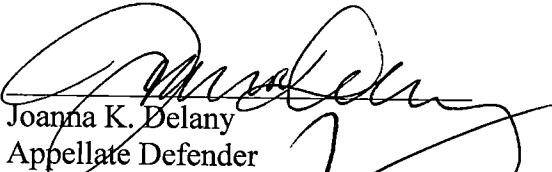
1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Henry L. Gray respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted 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. Devonta Williams with the Court of Appeals on October 28, 2019. Counsel had oral argument before the Court of Appeals in the case of Terrence Frasier v. The State on October 14, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kristopher Block v. The State with this Court on October 8, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Richard Kenneth Galloway with the Court of Appeals on October 7, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lance R. Elam with the Court of Appeals on October 3, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Johnny Ray Walker, Jr. v. The State with this Court on September 26, 2019. On September 23 – 25, 2019, counsel attended the annual Public Defender Convention in Myrtle Beach, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jarvis Stripling with the Court of Appeals on September 10, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lorgio D. Morales v. The State with this Court on September 4, 2019.


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 for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 31st day of October, 2019

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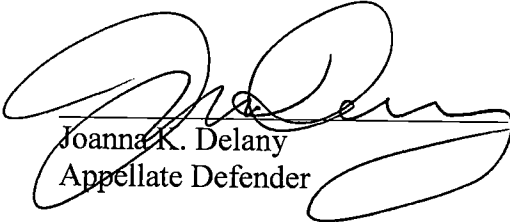
V.

THE STATE,

RESPONDENT.

CERTIFICATE OF SERVICE

I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Lindsey McCallister, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 31st day of October, 2019.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 31st day of October, 2019

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