

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Spartanburg County

Paul M. Burch, Circuit Court Judge

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MARION ALEXANDER LINDSEY,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

RESPONDENT

ORIGINAL

RECEIVED

JAN 02 2020

S.C. SUPREME COURT

Appellate Case No. 2019-001271

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

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The undersigned counsel respectfully requests a **final fifteen-day extension, until January 17, 2020**, 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.
2. Counsel is in the process of redoing the original eight-volume appendix and there will be two supplemental appendices in this case when the petition for certiorari is filed with this Court on January 17, 2020. Counsel is editing a lengthy draft of the initial brief of appellant in

the case of The State v. Tammy Caison Moorer, with co-counsel, Lara Caudy. The transcripts in that case are two thousand six hundred and seventy-two pages, there are presently five meritorious issues, and the brief is to be filed with the Court of Appeals on January 6, 2020. Counsel filed the return to the state's petition for writ of certiorari in the case of The State v. Joseph Bowers with this Court on December 27, 2019. Counsel had an oral argument before the Court of Appeals on December 11, 2019 in The State v. Justin Jamal Warner. Counsel had an oral argument before the Court of Appeals on December 9, 2019 in The State v. Edward Primo Bonilla. Counsel filed the brief of appellant and designation of matter in the case of The State v. John Andrew Finch with the Court of Appeals on December 2, 2019. Counsel was co-counsel to Victor Seeger and Lara M. Caudy, when they filed the petition for rehearing in the case of The State v. Jonathan Donell Rhodes with the Court of Appeals on November 21, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. John M. Ghent, Jr., to this Court from the Court of Appeals on November 12, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Anthony Raynard Randall with the Court of Appeals on November 8, 2019. Counsel was co-counsel to Adam Sinclair Ruffin, when they filed the initial brief of appellant and designation of matter in the case of The State v. William D. Pennington with the Court of Appeals on November 4, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training three less experienced appellate defenders and reviewing all their filings in advance.**

#### **Co-Counsel Appellate Defender Lara Caudy**

On December 31, 2019, counsel filed the initial brief of appellant and designation of matter in In the Matter of the Care and Treatment of Antonio Young with the Court of Appeals.

On December 16, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Tamarcus Long v. The State with this Court. On December 12, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Frederick Harrison Towe with the Court of Appeals. On December 4, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Brandon James Littell v. The State with this Court. On November 25, 2019, counsel filed a petition for a writ of certiorari to the Court of Appeals in The State v. Anthony M. Enriquez with this Court. On November 8, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Moses Frasier v. The State with this Court.

**Co-Counsel Appellate Defender David Alexander**

Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rias Odell Isaac with the Court of Appeals on December 13, 2019. Counsel filed the Anders brief of appellant and record on appeal in the case of In the Matter of the Care and Treatment of Timothy Brown with the Court of Appeals on December 9, 2019. Counsel filed the initial brief of respondent and designation of matter in the case of The State v. Corey Jermaine Brown with the Court of Appeals on December 4, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Bonds v. The State with this Court on November 25, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Touriamold Spann v. The State with this Court on November 25, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Mary Ann German with the Court of Appeals on November 22, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Frederick Calvin Jones with the Court of Appeals on November 8, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William Brockmeyer v. The State with this Court on November 6, 2019. Counsel

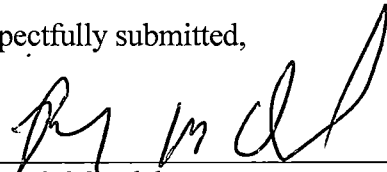
filed the Anders brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Kenneth Wright with the Court of Appeals on November 4, 2019.

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

4. 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 fifteen-day extension, until January 17, 2020**, in which to file the petition for writ of certiorari and accompanying appendix. 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.

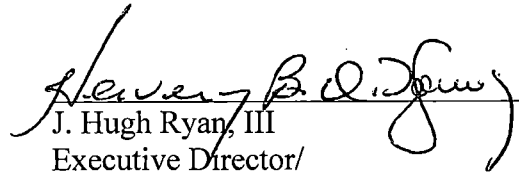
Respectfully submitted,



Robert M. Dudek  
Chief Appellate Defender

Lara M. Caudy  
Appellate Defender

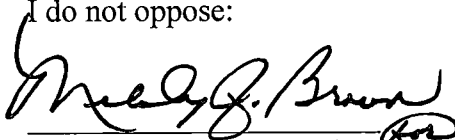
David Alexander  
Appellate Defender



J. Hugh Ryan, III  
Executive Director/  
Hervey B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 2nd day of January, 2020

I do not oppose:



Donald J. Zelenka, Esquire 