

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Sumter County  
Brooks P. Goldsmith, Circuit Court Judge

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**RECEIVED**

**Apr 21 2020**

S.C. SUPREME COURT

MARCUS A. NELSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001505

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

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Counsel for Marcus A. Nelson 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 Marcus A. Nelson 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 petition for writ of certiorari and accompanying appendix in the case of Christopher Heller v. State in the Supreme Court on April 15, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Santos Aguilera v. State in the Supreme Court on April 3, 2020. Counsel prepared and presented an oral argument in the Court of Appeals in the case of State v. Patrick McGowan on March 17, 2020. Counsel was out of the office on annual leave February 29 – March 14, 2020.

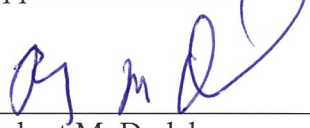
4. Counsel makes this request in good faith and not for purpose of delay.

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,

s/ Joanna K. Delany  
Joanna K. Delany  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

This 21<sup>st</sup> day of April, 2020.