

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

**May 20 2020**

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Certiorari to Kershaw County  
Honorable Kristi F. Curtis, Circuit Court Judge

S.C. SUPREME COURT

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EARNEST MAURICE ALLEN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2019-002056

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

Counsel for petitioner 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 petitioner 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 Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Chauncey Wright with the Court of Appeals on May 19, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert D. McGuffin v. The State of South Carolina with this Court on May 12, 2020. Counsel had an oral argument in the case of The State of South Carolina v. Steven Louis Barnes before the Court of Appeals on May 5, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of Tommy McGee v. The State of South Carolina with this Court on April 27, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of Vance Ross v. The State of South Carolina with this Court on April 27, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of Kelvin Jones v. The State of South Carolina with this Court on April 27, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Jeremy Williams with the Court of Appeals on April, 27, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Seth Hassan Smith with the Court of Appeals on April 15, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kerwin Parker v. The State of South Carolina with this Court on April 8, 2020. Counsel filed the petition for rehearing in the case of Brenda Roberts v. The State of South Carolina with the Court of Appeals on April 2, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Byron Rivers with the Court of Appeals on March 31, 2020.

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

5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General

Donald J. Zelenka for all Appellate Defense extensions through May 21, 2020. That emailed general consent was dated April 21, 2020.

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 be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Kathrine H. Hudgins

Kathrine H. Hudgins  
Appellate Defender

Attorney for Petitioner



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Robert M. Dudek  
Chief Appellate Defender

This 20<sup>th</sup> day of May, 2020