

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Lancaster County
D. Craig Brown, Circuit Court Judge

RECEIVED

May 26 2020

S.C. SUPREME COURT

Derrick Lamont Wade,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2019-001897

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

Counsel for Derrick Lamont Wade 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 Derrick Lamont Wade 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. Curnez Ellerbee with the Court of Appeals on May 8, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Marcus A. Nelson v. State in this Court on April 27, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy Montez Wright v. State in this Court on April 23, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Heller v. State in this 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 this Court on April 3, 2020.

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

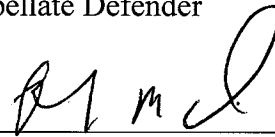
5. The Attorney General's Office has graciously consented to this extension request by way of the general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2020. That general consent was dated May 20, 2020."

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 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



Robert M. Dudek
Chief Appellate Defender

This 26th day of May, 2020.