

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Aiken County
Honorable J. Cordell Maddox, Circuit Court Judge

RECEIVED

May 27 2020

S.C. SUPREME COURT

GILBERT EDWARD DAY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2019-001247

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 supplemental motion to seal in the case of Antonio Sadler v State of South Carolina with the Court of Appeals on April 30, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adrian Jenkins v. The State with this Court on April 6, 2020. Counsel filed the petition for rehearing in the case of The State v. Eric Terrell Spears with this Court on February 27, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Daniel Antwan Rogers with the Court of Appeals on February 20, 2020.

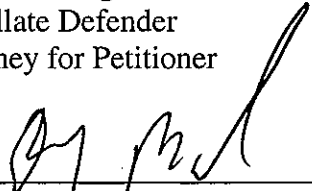
4. Counsel makes this request in good faith and not for purpose of delay.

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/ Victor R. Seeger
Victor R. Seeger
Appellate Defender
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 27th day of May, 2020