

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Chesterfield County

Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

May 27 2020

S.C. SUPREME COURT

JULIUS CALVIN CURRY, SR.,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2019-002004

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

Counsel for Julius Calvin Curry 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 Julius Calvin Curry 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel is currently working on a death penalty appeal in State v Timothy Jones. Counsel filed the brief of appellant and record on appeal in the case of The State v. Alvin Gregory Mitchell, Jr. with the Court of Appeals on May 22, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of James Tytil Wright v. The State with the Supreme Court on April 30, 2020. Counsel filed the initial brief of respondent and designation of matter in the case of The State v. Sylvester Ferguson III with the Court of Appeals on April 27, 2020. Counsel filed the brief of appellant and record on appeal The State v. Demarcus Obrien Foster with the Court of Appeals on April 27, 2020. Counsel filed the initial brief of respondent and designation of matter in the case of The State v. Harold Gene White, III with the Court of Appeals on April 27, 2020. Counsel filed the brief of appellant in the case of The State v. Derrick Lamar Porter with the Court of Appeals on April 23, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Johnathan Lamar Hillary with the Court of Appeals on April 23, 2020. Counsel filed the brief of appellant and record on appeal in the case of The State v. Pedro A. Grado Torres-Shaw with the Court of Appeals on April 15, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. William Earl Sherley with the Court of Appeals on April 1, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ty'Shun Mario Bessellieu with the Court of Appeals on March 27, 2020. Counsel filed the brief of appellant and record on appeal In the Matter of the Care and Treatment of James Williams with the Court of Appeals on March 13, 2020.

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

5. On May 20, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 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/David Alexander
Appellate Defender

A handwritten signature in black ink, appearing to read 'R M Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

May 27, 2020