

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Jun 08 2020

S.C. SUPREME COURT

Appeal from Horry County

Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JEROME JENKINS, JR.,

APPELLANT

Appellate Case No. 2019-001280

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER

Counsel for Jerome Jenkins, Jr. respectfully requests a **thirty-day extension, from the due date Thursday, June 11, 2020 until Monday, July 13, 2020**, in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court Thursday, June 11, 2020. The Court has granted counsel three previous extensions. Appellate defenders Kathrine Hudgins and Adam Ruffin are co-counsel on this case with

undersigned counsel, and they have very busy workloads as well. **Counsel plans and hopes for this to be the final extension request.**

2. Counsel for Jerome Jenkins, Jr. 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 had a WebEx oral argument before the Court of Appeals on June 3, 2020 in The State v. John Ernest Perry. Counsel filed the brief of appellant and designation of matter in the case of The State v. Gabriel Joyner with the Court of Appeals on May 29, 2020. Counsel had a WebEx oral argument before the Court of Appeals on May 27, 2020 in The State v. James Caleb Williams. Counsel had a WebEx oral argument before the Court of Appeals on May 5, 2020 in The State v. Howard James Woods, Jr. Counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in The State v. Edward Primo Bonilla, with this Court on May 4, 2020. Counsel filed the petition for rehearing in the case of The State v. Justin Jamal Warner with the Court of Appeals on April 22, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State v. Varsheen Antuan Smith with the Court of Appeals on April 21, 2020. Counsel filed the brief of petitioner in the case of The State v. Ahshaad Mykiel Owens with this Court on April 13, 2020. Counsel is also lead counsel on the death penalty case of State v. Timothy Jones, Jr., and he is working on a number of other murder cases including State v. Brian Walls and State v. Malette Kimbrough in the Court of Appeals. **Counsel has extensive administrative duties as the Chief Appellate Defender, including management of the work from home personnel during this coronavirus pandemic situation; administrative and**

Appellate Project oversight; and training four less experienced appellate defenders and reviewing all of their filings in advance.

Co-counsel Kathrine Hudgins

Counsel Hudgins filed the petition for writ of certiorari and accompanying appendix in the case of Gerry Brent James v. The State of South Carolina with this Court on June 3, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State of South Carolina v. Allen Angelo Fields with the Court of Appeals on May 26, 2020. Counsel filed the petition for rehearing in the case of Herbie V. Singleton, Jr. v. The State of South Carolina with the Court of Appeals on May 21, 2020. Counsel filed the 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 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 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.

Co-counsel Adam Ruffin

Counsel Ruffin e-filed the brief of appellant and designation of matter in the case of State v. Bernard Jackson with the Court of Appeals on May 26, 2020. Counsel e-filed the petition for writ of certiorari and accompanying appendix in the case of Roger Bruce v. State with this Court on May 15, 2020. Counsel e-filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Robinson v. State with this Court on April 13, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Donald Richburg with the Court of Appeals on April 3, 2020. Counsel is preparing the initial brief of appellant and designation of matter in the case of The State v. Tequan Martrell Holmes to be filed with the Court of Appeals on June 25, 2020.

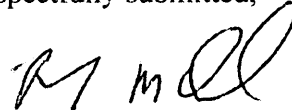
5. Counsel makes this request in good faith and not for purpose of delay. Each attorney intends to continue to work on the cases with more than three extensions first so that their caseloads will hopefully become more manageable in the near future, and less extensions will need to be requested.

6. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2020. That extended, emailed general consent was dated May 20, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension, from Thursday, June 11, 2020 until Monday, July 13, 2020**, in which to file the

initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Again, counsel hopes and plans for this to be the final extension request. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

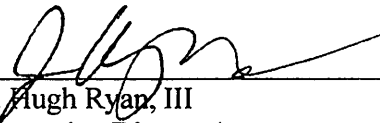
Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Kathrine Hudgins
Appellate Defender

Adam Sinclair Ruffin
Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 8th day of June, 2020.