

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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

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RECEIVED

Jun 19 2020

S.C. SUPREME COURT

EARNEST MAURICE ALLEN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2019-002056

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

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Counsel for Earnest Maurice Allen respectfully requests a **final thirty (30) day extension, until July 20, 2020**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.

2. Counsel for Earnest Maurice Allen 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 petition for writ of certiorari and accompanying appendix in the case of Antonio Emerson Tate v. The State of South Carolina with this Court on June 11, 2020. Counsel filed the Johnson 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 Anders 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 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 Johnson 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 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.

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 June 30, 2020. That emailed general consent was dated May 20, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until July 20, 2020**, 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.

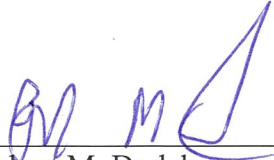
Respectfully submitted,

s/ Kathrine H. Hudgins

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Kathrine H. Hudgins  
Appellate Defender

Attorney for Petitioner.



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Robert M. Dudek  
Chief Appellate Defender

This 19<sup>th</sup> day of June, 2020.