

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Paul M. Burch, Circuit Court Judge

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RECEIVED

Aug 27 2020

S.C. SUPREME COURT

MARION ALEXANDER LINDSEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2019-001271

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MOTION FOR AN EXTENSION OF TIME  
TO FILE THE REPLY TO RETURN  
TO PETITION FOR WRIT OF CERTIORARI

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Counsel for Marion Lindsey respectfully requests a **final extension of ten (10) days until September 3, 2020**, in which to file the reply to return to petition for writ of certiorari in this 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 reply to return to petition for writ of certiorari is due to be served and filed with the Court today.
2. Counsel for Marion Lindsey 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 case in The State v. Timothy Ray Jones, Jr.** Counsel plans to file the brief of appellant and designation of matter in the case of The State v. Jacory Sharod Foster with the Court of Appeals on or before August 26, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Maulique Alexander Heyward and with the Court of Appeals on August 24, 2020. Counsel filed the brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Ronald Garrard with the Court of Appeals on July 27, 2020. Counsel filed the petition for a writ of certiorari and appendix in the case of Julius Calvin Curry, Sr. v. The State with the Supreme Court on July 23, 2020. Counsel filed the petition for a writ of certiorari and appendix in the case of Tyrel Rashone Collins v. The State with the Supreme Court on June 26, 2020. On June 25, 2020, counsel filed the brief of appellant in the case of The State v. Randy Chestnut with the Court of Appeals. On June 25, 2020, counsel filed the brief of appellant in the case of The State v. Diondrae Emanuel Jackson with the Court of Appeals. On June 16, 2020, counsel had an oral argument in In the Matter of the Care and Treatment of Micah Allen Bilton before the Court of Appeals. On June 10, 2020, counsel had an oral argument in The State v. Billy Lemurces Taylor before the Supreme Court. Counsel filed the return to petition for a writ of certiorari in the case of The State v. Kenneth Strother Collins with the Supreme Court on June 4, 2020. On May 27, 2020, counsel had an oral argument in The State v. Antwuan Levon Nelson before the Court of Appeals.

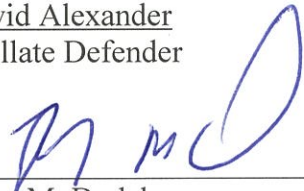
4. Counsel makes this request in good faith and not for purpose of delay.

5. On July 30, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **final ten (10) day extension until September 3, 2020**, in which to file the reply to return to petition for writ of certiorari in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

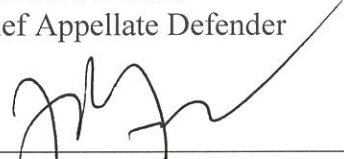
Respectfully submitted,

s/David Alexander  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender



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