

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Georgetown County
Honorable George M. McFaddin, Circuit Court Judge

RECEIVED

Sep 23 2020

S.C. SUPREME COURT

DAQUARIUS HOLMES,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2020-000428

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 petition for rehearing in the case of The State of South Carolina v. Steven Barnes with the Court of Appeals on September 14, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. John Ira Duncan III with the Court of Appeals on September 10, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shiquan Tyon Cwiklinski v. The State of South Carolina with this Court on August 25, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. Kenneth Wayne Carlisle with the Court of Appeals on August 25, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. William Shane Fordham Brown with the Court of Appeals on August 21, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Michael N. Frasier, Jr. with the Court of Appeals on August 13, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Courtney Brock with the Court of Appeals on August 11, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Steven Barnes with the Court of Appeals on August 6, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Johnathan Green with the Court of Appeals on August 5, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Earnest Allen v. The State of South Carolina with this Court on July 16, 2020. Counsel filed the brief of petitioner in the case of The State of South Carolina v. Timothy L. Frady with the Court of Appeals on July 16, 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

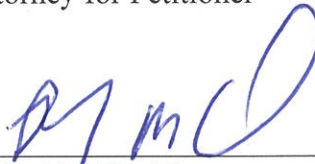
Donald J. Zelenka for all Appellate Defense extensions through September 30, 2020. That emailed general consent was dated August 26, 2020.

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,



Kathrine H. Hudgins
Appellate Defender
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 23rd day of September, 2020