

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
R. Keith Kelly, Circuit Court Judge

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Oct 09 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JERRY JEROME DAVIS,

APPELLANT

APPELLATE CASE NO. 2019-001810

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

The undersigned counsel respectfully requests a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.

2. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Clayton Eli Watts v. State in the Supreme Court on October 1, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Arquivius McClee v. State in the Supreme Court on September 30, 2020. Counsel filed an Anders brief of appellant and Record on Appeal in the case of The State v. Jody Mack Childress

with this Court on September 25, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ronald Brown with this Court on September 23, 2020. Counsel attended the Annual Public Defender Conference from September 21-23, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tavaris Dewberry v. State in the Supreme Court on September 17, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brittany Foster v. State in the Supreme Court on September 11, 2020. Counsel filed a petition for Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Osiel Gomez v. State in the Supreme Court on September 2, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Joe Lewis Busby with this Court on August 26, 2020. Counsel filed an Anders brief of appellant and Record on Appeal in the case of The State v. John Ryan Tate Wilson with this Court on August 24, 2020. Counsel had oral argument before this Court in the case of Randy Wright v. The State on August 19, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rodney J. Furtick with this Court on August 10, 2020.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. Opposing counsel, Matthew Buchanan, Esquire, has graciously consented to this extension request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 9th day of October, 2020.

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension of Time in which to file the initial brief of appellant and designation of matter in the above referenced case has been served upon Matthew Buchanan, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 9th day of October, 2020.

sl Joanna K. Delany

Joanna K. Delany
Appellate Defender

ATTORNEY FOR PETITIONER