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Oct 23 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Horry County
William H. Seals, Circuit Court Judge

GAFASKIE D. RICHARDSON,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2020-000569

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

Counsel for Gafaskie Richardson respectfully requests a **final thirty (30) day extension, until November 23, 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 served and filed with the Court today. The Court has granted counsel two previous extensions.

2. Counsel for Gafaskie Richardson 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 initial brief of appellant and designation of matter in the case of The State v. Damon R. Riley with the Court of Appeals on October 13, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Albert L. Johnson v. State in this Court on October 6, 2020. Counsel filed the Return to Petition for Writ of Certiorari in the case of State v. Christian Anthony Himes in this Court on October 5, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Clayton Eli Watts v. State in this 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 this 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 the Court of Appeals 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 the Court of Appeals 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 this 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 this 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 this 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 the Court of Appeals 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 the Court of Appeals on August 24, 2020.

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

5. Opposing counsel, for the Attorney General's Office, has graciously consented to this extension request by way of the general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2020. That general consent was dated September 28, 2020

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until November 23, 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 for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

This 23rd day of October, 2020

Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

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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 petition for writ of certiorari and appendix in the above case has been served upon Chelsey Marto, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23rd day of October, 2020.

s/ Joanna K. Delany
Joanna K. Delany
Appellate Defender

ATTORNEY FOR PETITIONER