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Oct 23 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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

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 Daquarius Holmes 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 filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Daquarius Holmes 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 of South Carolina v. Marissa Cohen with the Court of Appeals on October 6, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donte Stokes v. The State of South Carolina with the Supreme Court on October 6, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Ibn Gadson v. The State of South Carolina with this Court on September 24, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Steadman v. The State of South Carolina with this Court on September 18, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State of South Carolina v. Herbie V. Singleton, Jr. with this Court on September 18, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State of South Carolina v. Steven Barnes with this Court 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.

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

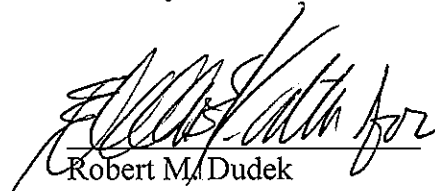
Donald J. Zelenka for all Appellate Defense extensions through October 31, 2020. That emailed general consent was dated September 28, 2020.

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 be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Kathrine H. Hudgins
Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner.


Robert M. Dudek
Chief Appellate Defender

This 23rd 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 a letter requesting an extension of time in which to file the petition for writ of certiorari and appendix in the above-referenced case have 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/ Kathrine H. Hudgins
Kathrine H. Hudgins
Appellate Defender
ATTORNEY FOR PETITIONER