

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable G. Thomas Cooper, Jr., Circuit Court Judge

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Nov 04 2020

S.C. SUPREME COURT

FRANCISCO R. RODRIGUEZ,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2020-000882

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

Counsel for Francisco R. Rodriguez respectfully requests a **final thirty (30) day extension, until December 4, 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 Francisco R. Rodriguez 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 writ of certiorari to the Court of Appeals in the case of The State of South Carolina v. Johnathan Green with this Court on October 22, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State of South Carolina v. Michael Frasier with this Court on October 21, 2020. Counsel filed the Petition for rehearing in the case of The State of South Carolina v. Heyward Martin with the Court of Appeals on October 14, 2020. 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.

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

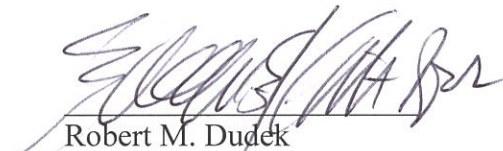
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2020. That emailed general consent was dated October 28, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until December 4, 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,


Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner.


Robert M. Dudek
Chief Appellate Defender

This 4th day of November, 2020.