

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Richland County
Roger E. Henderson, Circuit Court Judge

RECEIVED

Nov 04 2020

S.C. SUPREME COURT

SHAWN BETHEA,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2020-000602

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

Counsel for Shawn Bethea 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 Shawn Bethea 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 an Anders brief of appellant and record on appeal in the case of State v. Dwayne Eigner with the Court of Appeals on October 26, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of 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 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 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.

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

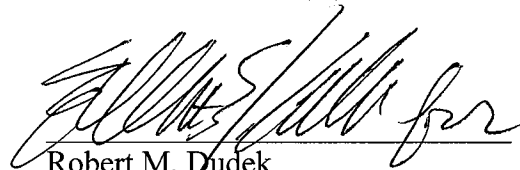
J. Zelenka for all Appellate Defense extensions through November 30, 2020. That general consent was dated October 30, 2020

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 for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender

A handwritten signature in black ink, appearing to read "R. M. Dudek", written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

This 4th day of November, 2020.