

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Newberry County
Casey L. Manning, Circuit Court Judge

RECEIVED

Nov 25 2020

S.C. SUPREME COURT

MANUEL S. HERNANDEZ,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2020-001080

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

Counsel for Manuel S. Hernandez 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 Manuel S. Hernandez 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 his caseload, counsel hopes that no further extension requests will be required.

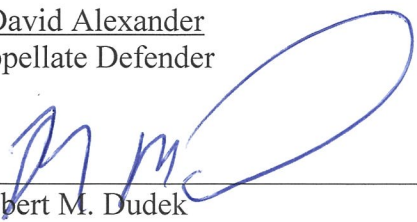
3. Counsel filed the brief of appellant and designation of matter in the case of The State v. David Eric Hugue, Jr., with the Court of Appeals on November 12, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. James Harold Baldwin and with the Court of Appeals on November 9, 2020. On October 23, 2020, counsel, along with co-counsel, filed the initial brief of appellant and designation of matter in the death penalty case of The State v. Timothy Ray Jones, Jr. with the Supreme Court. On October 14, 2020, counsel had an oral argument in The State v. Rashawn Vertez Carter before the Court of Appeals. On October 12, 2020, counsel had an oral argument in The State v. Leon LaGwan Barksdale before the Court of Appeals. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jason Donn Lee with the Court of Appeals on October 9, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of the Care and Treatment of Ronald MJ Gregg and with the Court of Appeals on September 30, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jacop Robert Lee Hazlett with the Court of Appeals on September 9, 2020. Counsel makes this request in good faith and not for purpose of delay.

4. On October 28, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 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/David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 25th day of November, 2020.