

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Dec 07 2020

S.C. SUPREME COURT

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

HOLLIS GENE BROCK,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2020-000460

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

Counsel for respondent 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 return to petition for writ of certiorari is due to be served and filed with the Court today.
2. Counsel for respondent 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 petition for writ of certiorari and accompanying appendix in the case of Carl Aiken v. State with the Supreme Court on November 23, 2020. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Douglas Lavance Young with the Court of Appeals on November 12, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Otis Gibson with the Court of Appeals on November 4, 2020. Counsel filed the Johnson Petition for writ of certiorari and accompanying appendix in the case of Joanie Holcombe v. State with the Supreme Court on October 30, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Nancy Carswell with the Court of Appeals on October 21, 2020. Counsel filed the Anders brief and Record on Appeal in the case of State v. Pamela Tackett with the Court of Appeals on October 21, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Brian Willie Benson Lewis v. State with the Supreme Court on October 16, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Eric Charles Peterson 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. Curtis Allen Babb, Jr. with the Court of Appeals on September 23, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Yusuf Aquil v. State with the Supreme Court on September 9, 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 December 31, 2020. That emailed general consent was dated November 25, 2020.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the return petition for writ of certiorari 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/Adam Ruffin

Adam S. Ruffin

Appellate Defender

Attorney for Petitioner



Robert M. Dudek

Chief Appellate Defender

This 7th day of December, 2020