

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Horry County  
William H. Seals, Circuit Court Judge

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**RECEIVED**

**Dec 16 2020**

S.C. SUPREME COURT

CLIFFORD WAYNE POWELL,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2020-000754

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

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Counsel for Clifford Wayne Powell 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 Clifford Wayne Powell 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 had an oral argument in the case of State v. Antoine Lakida Hightower in the Court of Appeals via WebEx on December 8, 2020. Counsel filed an Anders brief of appellant and record on appeal in the case of State v. Jerry Jerome Davis with the Court of Appeals on December 7, 2020. Counsel filed a brief of petitioner in the case of Joshua A. Reed v. State with the Court of Appeals on November 30, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Larry Eugene Coleman v. State in this Court on November 17, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Gafaskie Richardson v. State in this Court on November 9, 2020. 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.

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

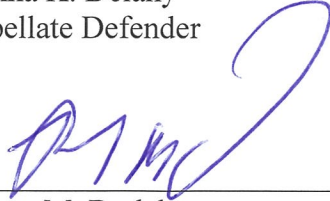
5. Opposing counsel, for the Attorney General's Office, has graciously consented to this extension request by way of the general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2020. That general consent was dated November 25, 2020.

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



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Robert M. Dudek  
Chief Appellate Defender

This 16th day of December, 2020.