

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Anderson County

Scott R. Sprouse, Circuit Court Judge

RECEIVED

Dec 21 2020

S.C. SUPREME COURT

ANDREW ANTONIO CLEMONS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2020-000941

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

Counsel for Andrew Antonio Clemons 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 Andrew Antonio Clemons 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. On December 10, 2020, counsel filed the brief of petitioner in James Johnson v. The State with the Court of Appeals. On December 4, 2020, counsel filed the petition for writ of certiorari and accompany appendix in Michael D. Williams v. The State with the Supreme Court. On November 12, 2020, counsel filed the brief of appellant and designation of matter in The State v. Joey Coleman with the Court of Appeals. On November 9, 2020, counsel filed the petition for writ of certiorari and accompanying appendix in Keith Tate v. The State with the Supreme Court. On October 30, 2020, counsel filed the petition for writ of certiorari and accompanying appendix in Armando Chestnut v. The State with the Supreme Court. 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.

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


5. On November 25, 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 December 31, 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,



Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 21st day of December, 2020.