

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

RECEIVED

Jan 15 2021

S.C. SUPREME COURT

CLIFFORD WAYNE POWELL,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2020-000754

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

Counsel for Clifford Wayne Powell respectfully requests a **final thirty (30) day extension, until February 15, 2021**, 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 third 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. The Court has granted counsel two previous extensions.
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 filed an Anders Brief of Appellant pursuant to White v. State, the case of Dominque Alexander Cash v. State with the Court of Appeals on January 4, 2021. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Shannon Lancaster v. State in this Court on December 22, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Shawn Bethea v. State in this Court on December 16, 2020. Counsel filed the brief of petitioner in the case of Wilton Q. Greene v. State in the Court of Appeals on December 11, 2020. 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.

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 January 31, 2021. That general consent was dated December 21, 2020.

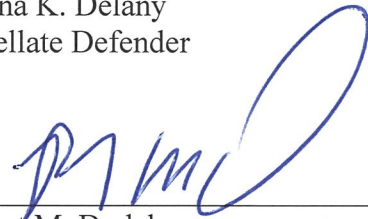
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until February 15, 2021**, in which to file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

This 15th day of January, 2021.

Respectfully submitted,

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender