

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Edgefield County

J. Derham Cole, Circuit Court Judge

RECEIVED

Jan 22 2021

S.C. SUPREME COURT

FREDERICK DALE HARVEY, JR.,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2020-000965

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

Counsel for Frederick Dale Harvey, Jr. respectfully requests a **final thirty (30) day extension, from January 22, 2021 until February 22, 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, January 22, 2021. The Court has granted counsel two previous extensions.
2. Counsel for Frederick Dale Harvey, Jr. 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 is currently preparing to file the brief of appellant in the case of The State v. Jason J. Owen, which is due to be filed with the Court of Appeals in the next few weeks. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Arthur L. Singleton v. The State with this Court on December 7, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jamel Dajour Williams with the Court of Appeals on December 1, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Melvin James White with the Court of Appeals on November 20, 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 extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2021. That emailed general consent was dated December 23, 2021.

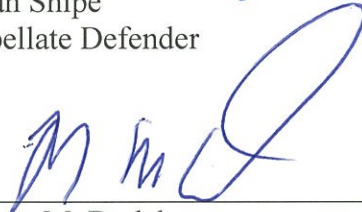
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, from January 22, 2021 until February 22, 2021**, in which to file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

This 22 day of January, 2021.

Respectfully submitted,



Sarah Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender