

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County
Honorable J. Derham Cole, Circuit Court Judge

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Apr 02 2021

S.C. SUPREME COURT

KEVIN J. MERCER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2020-001419

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

Counsel for Kevin J. Mercer respectfully requests a **final thirty (30) day extension, until May 3, 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 filed with the Court today. The Court has granted counsel two previous extensions.

2. Counsel for Kevin J. Mercer 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 the amended petition for writ of certiorari in the case of Donte Stokes v. The State of South Carolina with this Court on March 17, 2021. Counsel filed the Initial reply brief of appellant in the case of The State of South Carolina v. John Ira Duncan with the Court of Appeals on February 25, 2021. Counsel filed the Initial reply brief of appellant in the case of The State of South Carolina v. William Shane Fordham Brown with the Court of Appeals on February 25, 2021. Counsel filed the petition for writ of certiorari in the case of Maurio Rivers v. The State of South Carolina with this Court on February 22, 2021. Counsel filed the Initial reply brief of appellant in the case of The State of South Carolina v. K'Sone Campbell with the Court of Appeals on February 18, 2021. Counsel filed the Initial reply brief of appellant in the case of The State of South Carolina v. Seth Hassan Smith with the Court of Appeals on February 16, 2021. Counsel filed the return to petition for writ of certiorari in the case of Willie Williams v. The State of South Carolina with this Court on February 3, 2021. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. Curtis Channing Pearson with the Court of Appeals on January 28, 2021. Counsel filed the petition for writ of certiorari in the case of Willie Williams v. The State of South Carolina with this Court on January 22, 2021.

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 April 30, 2021. That emailed general consent was dated March 30, 2021.

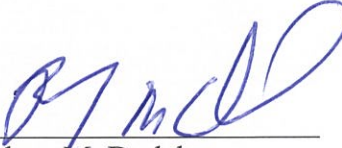
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until May 3, 2021**, in which to file the petition for writ of certiorari and appendix

in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Kathrine H. Hudgins
Kathrine H. Hudgins
Appellate Defender

Attorney for Respondent/Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 2nd day of April, 2021.