

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County

Honorable D. Craig Brown, Circuit Court Judge

MICHAEL DARNELL THOMAS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2020-001492

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

Counsel for Michael Darnell Thomas 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 Michael Darnell Thomas 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 his caseload, counsel hopes that no further extension requests will be required.

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3. Counsel filed the Reply Brief of Petitioner in the case of Dameion Rivers v. The State with the Court of Appeals on April 21, 2021. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alfonso Morgan v. The State with this Court on March 31, 2021. Counsel had an oral argument in the case of The State v. Ontario Stefon Patrick Makins before this Court on March 24, 2021. Counsel filed the brief of petitioner in the case of Mitchell Rivers v. The State with the Court of Appeals on March 5, 2021. Counsel had an oral argument in the case of Victor Weldon v. The State before this the Court of Appeals on March 1, 2021. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dennis Cumbee v. The State with this Court on February 22, 2021. Counsel filed the initial brief of appellant and designation of matter in the case of Yashawnus Patterson v. The State with the Court of Appeals on February 16, 2021. Counsel filed the Brief of Petitioner in the case of Dameion Rivers v. The State with the Court of Appeals on February 12, 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 email from Deputy Attorney General Donald J. Zelenka dated April 29, 2021 for all Appellate Defense extensions through May 31, 2021.

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 be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/Taylor D. Gilliam

Taylor D. Gilliam

Appellate Defender



Robert M. Dudek

Chief Appellate Defender

Attorneys for Petitioner

May 12, 2021