

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Lexington County

Eugene C. Griffith, Circuit Court Judge

RECEIVED

Jun 21 2021

S.C. SUPREME COURT

THE STATE,

RESPONDENT,

V.

TIMOTHY RAY JONES, JR.,

APPELLANT

Appellate Case No. 2019-001008

PETITION FOR EXTENSION TO FILE
INITIAL REPLY BRIEF OF APPELLANT

The undersigned counsel respectfully requests a **final ten-day extension, from the due date Monday, June 21, 2021 until July 1, 2021**, in which to file the initial reply brief of appellant in the above-referenced death penalty case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial reply brief of appellant is due to be served and filed June 21, 2021. Appellate defenders Susan Hackett, David Alexander, Lara Caudy, and Taylor Gilliam are co-counsel on this case, and they have very busy workloads as well.

2. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. David Matthew Carter with this Court on June 17, 2021. Counsel had an oral argument before the Court of Appeals on June 7, 2021 in The State v. Robert Xavier Geter. Counsel filed the initial reply brief of appellant in the case of The State v. Walter Murrey with the Court of Appeals

on May 28, 2021. Counsel filed a Return to Petition for Rehearing in the case of The State v. John Ernest Perry with the Court of Appeals on May 21, 2021. Counsel filed the petition for rehearing in case of The State v. David Matthew Carter with the Court of Appeals on May 6, 2021. Counsel had a WebEx oral argument before the Court of Appeals on April 15, 2021 in the case of The State v. William C. (Billy) Sellers. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight.**

Co-counsel Susan B. Hackett

Counsel had an oral argument in the case of The State v. James Elbert Daniels, Jr. with Court of Appeals on June 15, 2021. Counsel participated in hearings as a member of this Court's Committee on Character and Fitness on June 3, 2021. Counsel filed the initial reply brief of appellant in the case of State v. Kayla Cook in the Court of Appeals on May 26, 2021. Counsel participated in hearings as a member of this Court's Committee on Character and Fitness on May 19, 2021. Counsel filed the reply to the return of petition for writ of certiorari to the Court of Appeals in the case of State v. Tyrone Anthony Wallace in this Court on May 18, 2021. Counsel filed the reply to the return of petition for writ of certiorari in the case of Jon W. Jarrard, Sr. v. The State in this Court on May 3, 2021. Counsel filed the initial reply brief of appellant in the case of State v. Calvin D. Ford in the Court of Appeals on April 26, 2021. Counsel filed a petition for rehearing in the case of Boyd Rashaeen Evans v. State in the Court of Appeals on April 15, 2021.

Co-counsel David Alexander

Counsel presented at a CLE on PCRs on June 11, 2021. Counsel filed a Notice of Appeal in Jason Ervin Black v. The State with this Court on June 4, 2021. Counsel had a meeting with a Spanish-speaking client and interpreter at Kershaw Correctional Institution and filed his report in

the case of Manuel S. Hernandez v. The State on May 25, 2021. Counsel testified at a PCR Hearing held via Web Ex in the case of The State v. Gerald R. Williams on April 28, 2021. Counsel filed the Brief of Petitioner in Cary Glenn Ryals v. The State with the Court of Appeals on April 14, 2021.

Co-counsel Lara M. Caudy

On June 2, 2021, counsel filed the petition for writ of certiorari and accompanying appendix in Jamaal Hinson v. The State with this Court. On May 25, 2021, counsel filed the return to the petition for writ of certiorari to the Court of Appeals in The State v. Russell Levon Johnson with this Court. On May 6, 2021, counsel filed the petition for writ of certiorari and accompanying appendix in Jamie L. Giles v. The State with this Court. On April 23, 2021, counsel filed the initial brief of appellant and designation of matter in The State v. Lutavious Denard Elmore with the Court of Appeals.

Co-counsel Taylor Gilliam

Counsel filed the return to petition for writ of certiorari in the Court of Appeals in the case of In the Interest of Christopher H. v. The State with this Court on June 1, 2021. Counsel filed the reply brief of petitioner in the case of William Justice v. The State with the Court of Appeals on May 24, 2021. Counsel filed the brief of petitioner in the case of Mack Washington v. The State with the Court of Appeals on May 21, 2021. Counsel filed the reply brief of petitioner in the case of Mitchell Rivers v. The State with the Court of Appeals on May 11, 2021. 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.

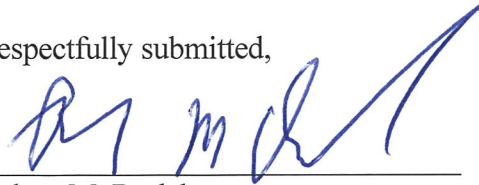
3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney

General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2021. That extended, emailed general consent was dated May 28, 2021.

This request of all counsel is made in good faith, and not for purposes of delay. Each attorney intends to continue to work on the cases with more than three extensions first so that their caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension, from the due date Monday, June 21, 2021 until July 1, 2021**, in which to file the initial reply brief of appellant. Counsel respectfully requests that the time limits for filing the reply brief of appellant be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Susan B. Hackett
Appellate Defender

David Alexander
Appellate Defender

Lara M. Caudy
Appellate Defender

Taylor Gilliam
Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 21st day of June, 2021