

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Jul 14 2021
SC Court of Appeals

Appeal from Saluda County

R. Keith Kelly, Circuit Court Judge

MICHAEL DURAN WATSON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2018-000486

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE BRIEF OF PETITIONER

Counsel for Michael Duran Watson respectfully requests a **third and final thirty (30) day extension until August 13, 2021**, in which to serve and file the Brief of Petitioner in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The Brief of Petitioner in this case is due to be served and filed today. The Court has granted two previous extensions.

2. Counsel for Michael Duran Watson 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 extensions requests will be required.

3. Counsel, along with co-counsel filed the initial reply brief of appellant and designation of matter in the death penalty case of The State v. Timothy Ray Jones, Jr. with the Supreme Court on June 30, 2021. Counsel filed the initial brief of appellant and designation of

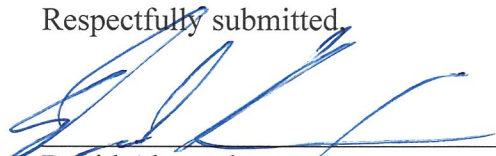
matter in The State v. Joseph Randolph Henry with the Court of Appeals on June 17, 2021. Counsel filed a Notice of Appeal in Jason Ervin Black v. The State with the Supreme Court on June 4, 2021. Counsel had a meeting with a Spanish-speaking client and interpreter at Kershaw Correctional Institution and filed his report in the case of Manuel S. Hernandez v. The State on May 25, 2021.

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

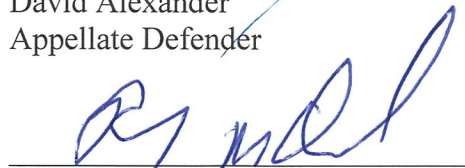
5. On June 28, 2021, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2021.

WHEREFORE, the undersigned counsel would respectfully request a **third and final thirty (30) day extension until August 13, 2021**, in which to serve and file the brief of petitioner in this case based upon the above exigent circumstances. Counsel respectfully requests that the time limits for serving and filing the Brief of Petitioner be held in abeyance pending a ruling on this motion.

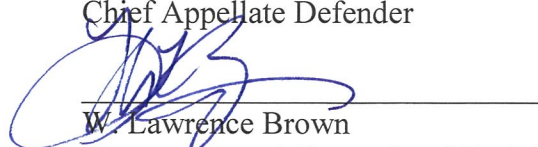
Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



W. Lawrence Brown
Deputy General Counsel and Training Director

This 14th day of July, 2021.

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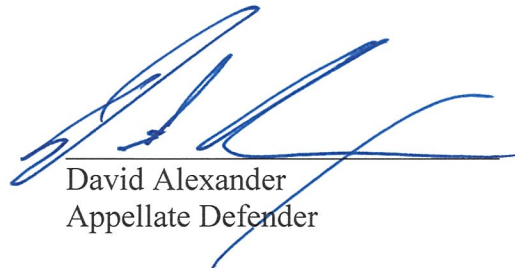
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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon David Spencer, Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 14th day of July, 2021.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER