

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Pickens County
Honorable Edward W. Miller, Circuit Court Judge

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Sep 01 2021

S.C. SUPREME COURT

GARY Z. THOMAS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2020-001569

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

Counsel for Gary Z. Thomas respectfully requests a **final thirty (30) day extension, until October 1, 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 Gary Z. 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.

3. Counsel filed the petition for writ of certiorari and appendix in the case of Kenneth Rivera v. The State of South Carolina with this Court on August 19, 2021. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ralph Dale Dixon with the Court of Appeals on August 18, 2021. Counsel filed the amended initial reply brief of appellant in the case of The State v. Antonio O. Simmons with the Court of Appeals on August 6, 2021. Counsel filed the initial reply brief of appellant in the case of The State v. Antonio O. Simmons with the Court of Appeals on August 5, 2021. Counsel filed the petition for writ of certiorari and appendix in the case of Alfonzo Alexander v. The State of South Carolina with this Court on June 21, 2021. Counsel filed the petition for writ of certiorari and appendix in the case of William Pearson v. The State of South Carolina with this Court on May 24, 2021. Counsel filed the petition for rehearing in the case of In the Interest of Channon P. with the Court of Appeals on May 19, 2021.

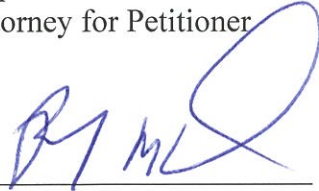
4. Counsel makes this request in good faith and not for purpose of delay.

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 September 30, 2021. That emailed general consent was dated August 27, 2021.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until October 1, 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/ Victor R. Seeger
Victor R. Seeger
Appellate Defender
Attorney for Petitioner

A handwritten signature in blue ink, appearing to read 'R M Dudek', is written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

This 1st day of September, 2021.