

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

APPEAL FROM GREENWOOD COUNTY
Court of General Sessions
Donald Hocker, Circuit Judge

Appellate Case № 2018-000022
Opinion № 5832

The State, Respondent

v.

Adam Rowell, Petitioner. _____

Motion to Extend Time to File Petition for Writ of Certiorari

Adam Rowell, the Petitioner above named hereby Moves this Court for an order extending the time to file a Petition for Writ of Certiorari until 30 days after the Court of Appeals rules upon the Second Petition for Rehearing filed by the Petitioner in this matter. This motion is based upon the following:

1. The South Carolina Court of Appeals ruled upon this matter on July 7, 2021. The Petitioner the State of South Carolina timely filed Petitions for Rehearing. The Court of Appeals ruled upon the State's Petition in issuing a new opinion on August 25, 2021. The new opinion did not address the concerns of the Petitioner in his Petition for Rehearing. The accompanying order denied both petitions for rehearing.

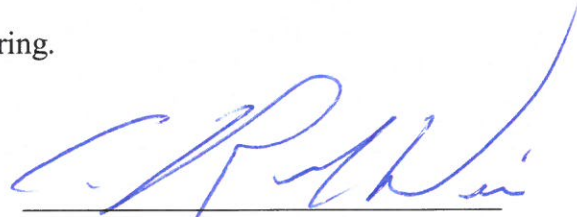
2. Rule 242(c) requires that a Petition for Writ of Certiorari be filed within 30 days of denial of a petition for rehearing. The rule is unclear as to whether the Petitioner is required to

file a new Petition for Rehearing as to the modified order which did not address the issues raised by the Petitioner in his Petition for Rehearing. Therefore, Petitioner on September 2, 2021, filed a second petition for rehearing with the South Carolina Court of Appeals. In the event the new Petition for Rehearing is not required, the time to file a Petition for Writ of Certiorari will expire before the South Carolina Court of Appeals rules upon the new Petition for Rehearing.

3. To fully comply with the South Carolina Appellate Court Rules, the Petitioner is requesting that the time for filing a Petition for Writ of Certiorari be extended until 30 days after the South Carolina Court of Appeals rules upon the second Petition for Rehearing still pending with the Court of Appeals.

WHEREFORE, Adam Rowell, the Petitioner above named, moves that the time for filing his Petition for Writ of Certiorari be extended until 30 days after the South Carolina Court of Appeals rules upon the pending Petition for Rehearing.

September 24, 2021



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