

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Spartanburg County

J. Derham Cole, Circuit Court Judge  
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**RECEIVED**

**Oct 07 2021**

S.C. SUPREME COURT

ANDRES ANTONIO TORRES,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2020-000842  
\_\_\_\_\_

MOTION FOR AN EXTENSION OF TIME  
TO FILE THE REPLY TO RETURN  
TO PETITION FOR WRIT OF CERTIORARI  
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Counsel for Andres Antonio Torres respectfully requests a **third extension of ten (10) days from October 7, 2021 until October 18, 2021**, in which to file the reply to return to petition for writ of certiorari 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 reply to return to petition for writ of certiorari is due to be served and filed with the Court today, October 7, 2021.

2. Counsel for Andres Antonio Torres respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Appellate defender Susan Hackett is co-counsel on this case and has a very busy workload, as well. Given the number of

extensions previously granted and the order in which counsel attempts to manage their caseloads, counsel hopes that no further extension requests will be required.

3. Counsel is preparing for oral argument in the death penalty case of The State v. Jerome Jenkins, Jr., which is to be held before this Court on October 12, 2021. Counsel is also preparing for oral argument in the case of The State v. Justin Jamal Warner, which is to be held before this Court on October 14, 2021. Counsel presented the Case Law Update PowerPoint presentation at the Annual Public Defender Conference, which was held in Myrtle Beach, South Carolina, on September 27-29, 2021. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Randall M. Simpson v. The State with this Court on September 24, 2021. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. William C. (Billy) Sellers with this Court on September 14, 2021. Counsel filed a Petition for Rehearing in the case of The State v. Robert Xavier Geter with the Court of Appeals on September 2, 2021. Counsel filed the initial reply brief of appellant in the case of The State v. Kierin Marcellus Dennis with the Court of Appeals on August 19, 2021 with co-counsel Adam Ruffin and Lara Caudy. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight.**

*Co-counsel Susan B. Hackett*

Counsel filed the petition for writ of certiorari to the Court of Appeals and supplemental appendix in the case of Randal Benton v. State in this Court on October 4, 2021. Counsel attended the South Carolina Public Defender Association's Annual Conference on September 27-29, 2021. During the conference, counsel presented on the topic of Practical Ethical Issues Impacting Defense Counsel. Counsel represented an applicant during an evidentiary hearing for a post-conviction relief matter in Kinjta Sadler v. State conducted via WebEx on September 14, 2021.

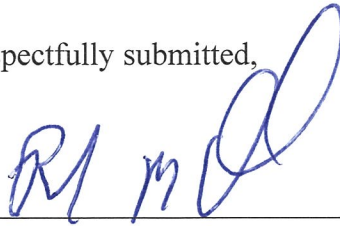
Counsel filed the petition for writ of certiorari to the Court of Appeals and supplemental appendix in the case of State v. Robert Lee Miller in this Court on September 9, 2021. Counsel filed the brief of petitioner and appendix in the case of State v. Ronald Hakeem Mack in this Court on September 7, 2021. Counsel filed the brief of petitioner and appendix in the case of State v. Sidney Moorer in this Court on September 2, 2021. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Travis A. Polite v. State in this Court on August 27, 2021. Counsel filed a petition for rehearing in the case of Randal Benton v. State in the Court of Appeals on August 19, 2021. On August 17, 2021 counsel participated in hearings as a member of this Court's Committee on Character and Fitness.

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 extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2021. That extended, emailed general consent was dated September 30, 2021.

WHEREFORE, the undersigned counsel would respectfully request a **third ten (10) day extension from October 7, 2021 until October 18, 2021**, in which to file the reply to return to petition for writ of certiorari in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

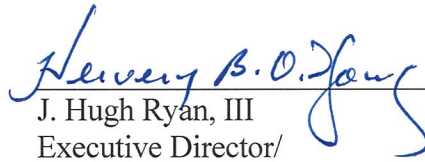
Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

Susan B. Hackett  
Appellate Defender



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