

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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**RECEIVED**  
**Dec 22 2021**

S.C. SUPREME COURT

Certiorari to Spartanburg County  
Honorable Brian M. Gibbons, Circuit Court Judge

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DAVID BOGGS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2021-000760

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

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Counsel for petitioner respectfully requests an extension of thirty (30) days 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 second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for petitioner 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 brief of petitioner in the case of Edward Dunn v. The State of South Carolina with the Court of Appeals on December 21, 2021. Counsel filed the petition for writ of certiorari and appendix in the case of Jermaine Harris v. The State of South Carolina with this Court on December 10, 2021. Counsel filed the reply brief of petitioner in the case of Antonio Sadler v. The State of South Carolina with the Court of Appeals on November 29, 2021. Counsel filed the petition for rehearing in the case of Dwayne Lee Rudd v. The State of South Carolina with the Court of Appeals on November 12, 2021. Counsel filed the brief of petitioner in the case of Robert A. Baker v. The State of South Carolina with the Court of Appeals on October 14, 2021. Counsel filed the brief of petitioner in the case of Antonio Sadler v. The State of South Carolina with the Court of Appeals on October 14, 2021. Counsel filed the petition for writ of certiorari and appendix in the case of Gary Z. Thomas v. The State of South Carolina with this Court on October 1, 2021.

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

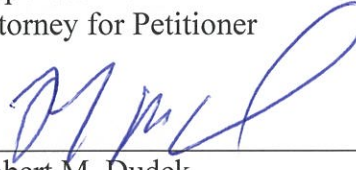
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 1, 2022. That emailed general consent was dated November 30, 2021.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, 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,

A handwritten signature in blue ink, appearing to read "Victor R. Seeger", written above a horizontal line.

Victor R. Seeger  
Appellate Defender  
Attorney for Petitioner

A handwritten signature in blue ink, appearing to read "R. M. Dudek", written above a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

This 22<sup>nd</sup> day of December, 2021