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**Dec 23 2021**

S.C. SUPREME COURT

**CAPITAL CASE  
21 -**

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**In The  
SUPREME COURT OF THE UNITED STATES  
October Term 2021**

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**William O. Dickerson, Jr,**

**Applicant/ Petitioner,**

**v.**

**State of South Carolina,**

**Respondent.**

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**Application for an Extension of Time Within  
Which to File a Petitioner for a Writ of Certiorari to The  
Supreme Court of South Carolina**

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**APPLICATION TO THE HONORABLE JUSTICE  
JOHN ROBERTS AS CIRCUIT JUSTICE**

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December 23, 2021

## **APPLICATION FOR AN EXTENSION OF TIME**

Pursuant to Rule 13.5 of the Rules of this Court, Applicant William O. Dickerson, Jr. requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, March 11, 2022.

## **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

The judgment for which review is sought is *William O. Dickerson v. State of South Carolina*, Appellate Case No. 2018-001499 (August 6, 2021) (attached as Exhibit 1). The South Carolina Supreme Court denied Applicant's motion for rehearing on October 13, 2021 (attached as Exhibit 2).

## **JURISDICTION**

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. §1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari was due to be filed on or before January 11, 2022. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

## **REASONS JUSTIFYING AN EXTENSION OF TIME**

Applicant respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the Supreme Court of South Carolina in this case, up to and including March 11, 2022.

1. Applicant has requested the Fourth Circuit Capital Habeas Unit to assist in the preparation of this petition. An extension of time will permit the attorneys the time necessary to complete a well-researched and thorough petition.

2. This extension of time is also necessary due to other pressing client business. Both counsel Franklin-Best and Grose are small law firm owners who handle legal work on behalf of criminal defense clients. In the past two months, counsel Elizabeth Franklin-Best has filed a number of briefs in the South Carolina appellate courts including *State of South Carolina v. Tremaine Johnson*, Case No. 2021-000701 (filed December 7, 2021), *State of South Carolina v. Royal Williams*, Case No. 2020-000049 (filed November 23, 2021), *State of South Carolina v. Christopher P. Cooper*, Case No. 2021-000457 (filed October 8, 2021). Counsel also filed two reply briefs in South Carolina Supreme Court. *Seth Fleury v. State of South Carolina*, Case No. 2021-000416 (filed December 7, 2021), *Richard Passio, Jr. v. State of South Carolina*, 2021-001007 (filed November 4, 2021) Counsel also had oral argument in the Fourth Circuit for a capital defendant on October 29, 2021. *John Wood v. Bryan Stirling*, Case No. 20-11.

From October 11-14, 2021, co-counsel Charles Grose defended an attempted murder trial in *State v. Travis Miller*, Case Numbers 2019-A30-101-00345, 346, 347, and 2021-GS-30-00865. On October 18, 2021, he filed a petition for a writ of *certiorari* in the South Carolina Supreme Court in *Allen v. S.C. Department of Corrections*, Appellate Case No. 2021-001143. On October 21, 2021, he filed the Traverse, Response to Summary Judgment Motion, Petitioner's Partial Summary Judgement

Motion, and Support for Petitioner's Partial Summary Judgment Motion in *Stanko v. Stirling*, C/A 1:19-cv-03257-RMG-SVH, ECF No. 79, 80. From November 1-4, 2021, he defended an attempted murder trial in *State v. Batchelor*, No. 2016-GS-42-01345. He prepared for an attempted murder trial in *State v. Lewis*, Case No. 2019-GS-01-00184, 185, and 186, scheduled for the week of December 6, 2021, which resolved the Friday before trial. He prepared for and participated in a non-capital post-conviction relief hearing in *Strickland v. State of South Carolina*, Case No. 2019-CP-33-00373, on December 17, 2021. He also had side effects following his COVID-19 booster shot on December 14, 2021.

### CONCLUSION

For the foregoing reasons, Applicant respectfully requests this Court grant an extension of 60 days, up to and including March 11, 2022, within which to file a petition for writ of certiorari in this case.

Respectfully submitted,



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