

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Pickens County

R. Scott Sprouse, Circuit Court Judge

RECEIVED

Dec 29 2021

S.C. SUPREME COURT

JASON ERVIN BLACK,

RESPONDENT-PETITIONER,

V.

STATE OF SOUTH CAROLINA,

PETITIONER-RESPONDENT.

APPELLATE CASE NO. 2021-000525

MOTION FOR AN EXTENSION OF TIME
TO FILE THE RETURN TO
PETITION FOR WRIT OF CERTIORARI

Counsel for Jason Ervin Black respectfully requests an extension of thirty (30) days in which to serve and file the 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. This is a second request for an extension. In support of this request, counsel shows:

1. The Return to Petition for Writ of Certiorari is due to be served and filed with the Court today.

2. Counsel for Jason Ervin Black 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 testified at a PCR Hearing held via Web Ex in the case of King Conyers v. State on December 8, 2021. Counsel filed a petition for rehearing in the case of Allen Stone v. The State with the Court of Appeals on November 18, 2021. Counsel appeared pursuant to a subpoena in a hearing in the PCR case of Vincent Missouri v. State on November 12, 2021. Counsel filed the brief of appellant and record on appeal in the case of The State v. Joshua Rothwell with the Court of Appeals on November 8, 2021. Counsel filed the petition for writ of certiorari in Jason Ervin Black v. The State with the Supreme Court on November 3, 2021.

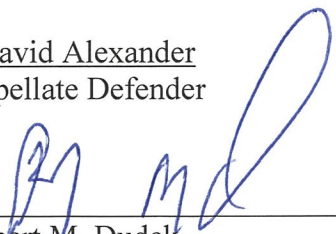
4. Counsel makes this request in good faith and not for purpose of delay.

5. On November 30, 2021, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2021.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension, in which to serve and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Return to Petition for Writ of Certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 29th day of December, 2021.