

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to the Court of Appeals
Appeal from Lancaster County
Honorable Steven H. John, Circuit Court Judge

RECEIVED

Jan 20 2022

S.C. SUPREME COURT

Opinion No. 5817 (S.C. Ct. App. filed April 21, 2021)

THE STATE,

RESPONDENT,

V.

DAVID MATTHEW CARTER,

PETITIONER.

APPELLATE CASE NO. 2021-000632

PETITION FOR EXTENSION TO FILE
THE BRIEF OF PETITIONER

The undersigned counsel respectfully requests a **final ten-day extension from January 20, 2022 until January 31, 2022**, in which to file the brief of petitioner in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The brief of petitioner in this case is due to be served and filed today, January 20, 2022.
2. Counsel filed a return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Robert Xavier Geter with this Court on January 10, 2022. Counsel filed a petition for rehearing in the case of The State v. Gregg Pickrell with the Court of Appeals on December 23, 2021. Counsel filed the petition for writ of certiorari to the Court of Appeals and

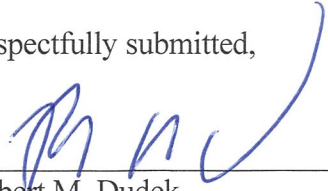
accompanying appendix in the case of The State v. Robert Xavier Geter with this Court on December 21, 2021. Counsel filed the reply brief of petitioner in the case of The State v. Stewart Jerome Middleton with this Court on November 29, 2021. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Bryan Austin Seidle with the Court of Appeals on November 12, 2021, with co-counsel Lara M. Caudy. Finally, counsel is presenting at the South Carolina Bar Convention CLE on criminal law with the Honorable Judge James Lockemy and Senior Assistant Deputy Attorney General Melody Brown on Friday, January 21, 2021. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight.**

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. 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 January 31, 2022. That extended, emailed general consent was dated December 29, 2021.

WHEREFORE, the undersigned counsel would respectfully request a final ten-day extension from January 20, 2022 until January 31, 2022. Counsel respectfully requests that the time limits for filing the brief of petitioner be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

This 20th day of January, 2022.