

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Pickens County
R. Scott Sprouse, Circuit Court Judge

RECEIVED

Jan 28 2022
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 TO SERVE AND FILE
THE RETURN TO PETITION FOR WRIT OF CERTIORARI

Counsel for Jason Ervin Black respectfully requests a **final thirty (30) day extension, until February 28, 2022**, in which to serve and file the Return Petition for Writ of Certiorari in this cross-appeal case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 filed the petition for writ of certiorari and accompanying appendix in Edward Britt, Jr. v. The State with the Supreme Court on January 19, 2022. Counsel filed the initial brief of appellant and designation of matter in The State v. Jermaine Demarcus Grier with the Court of Appeals on January 18, 2022. Counsel filed the brief of appellant and record on appeal in the case of The State v. Lavar Anthony Smith with the Court of Appeals on January 4, 2022. Counsel testified at a PCR Hearing held via Web Ex in the case of King Conyers v. State on December 8, 2021.

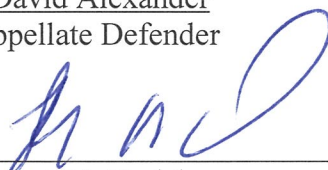
4. Counsel makes this request in good faith and not for purpose of delay.

5. On December 29, 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 January 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until February 28, 2022**, in which to serve and 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 for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 28th day of January, 2022.