

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Mar 08 2022

S.C. SUPREME COURT

Appeal from Darlington County Court of Common Pleas
The Honorable Michael G. Nettles, Circuit Court Judge

Appellate Case No. 2021-001155

Cephas Cowick, # 383684,.....Petitioner,

v.

State of South Carolina,.....Respondent.

SECOND MOTION FOR EXTENSION OF TIME WITH CONSENT

NOW COMES Petitioner, Cephas Cowick, by and through undersigned counsel, and hereby moves for an extension of time to file and serve the Petition for Writ of Certiorari and Appendix in the above-captioned case.

This request is warranted due to circumstances that arose since the first extension period that require additional time to complete the petition; the appendix and additional copies are complete and bound. In addition to changes in administrative staff, both counsel were out intermittently due to illness and previously scheduled time, respectively. Undersigned's paralegal's surgery and consequent recovery time out of the office this past month contributed to undersigned's office being shorthanded. A great abundance of case load, both upcoming and since the first extension period began, has compounded the need for an additional extension, including:

a resentencing evidentiary hearing pursuant to *Aiken v. Byars* in *State v. Lyles* (2005-GS-42-00890) held on March 4, 2022 in Spartanburg County before the Honorable Judge Cole; the preparation of Appellant's Amended Initial Brief in *State v. Rampey* (App. Case No. 2021-000184) filed March 1, 2022 in the Court of Appeals; Oral argument scheduled for tomorrow March 9, 2022 in *Wills v. State* (App. Case No. 2018-000054) before the Court of Appeals; PCR evidentiary hearing in *McClam v. State* (2020-CP-08-00504) scheduled for March 10, 2022; as well as numerous plea, probation violation etc., hearings and pleadings due. Undersigned respectfully submits that the foregoing constitutes good cause and that the extension is warranted.

Previous to filing this motion, Undersigned contacted Counsel for Respondent, Assistant Attorney General Chelsey Marto regarding this extension request via email. Ms. Marto has graciously consented to this second motion for extension of time.

WHEREFORE Petitioner respectfully requests this Honorable Court to issue an order extending the time to file and serve the Petition for Writ of Certiorari and Appendix.

Respectfully Submitted,

William G. Yarborough III

Lauren C. Hobbis

By: /s/ Lauren C. Hobbis, SC Bar No. 103190

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