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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Lexington County
Honorable Eugene C. Griffith, Circuit Court Judge

THE STATE,

RESPONDENT,

vs.

MARION C. WILKES,

PETITIONER.

Appellate Case No. 2022-000057

**MOTION FOR LEAVE TO FILE FIRST MOTION FOR
EXTENSION OF TIME TO FILE RETURN TO PETITION
FOR WRIT OF CERTIORARI**

The undersigned counsel would respectfully request a six (6) day extension of time in which to file the Return to Petition for Writ of Certiorari in the above-referenced case. This is Respondent's first extension request. Counsel for Respondent inadvertently missed the original filing date of March 2, 2022. Counsel for Respondent has contacted petitioner's counsel today, March 8, 2022. In support of this motion, counsel would respectfully show the Court the following good cause:

Respondent's Return to Petition for Writ of Certiorari was due to be filed on Wednesday, March 2, 2022. Due to a miscalculation, Respondent inadvertently missed the due date. Counsel has nearly completed the Return to Petition for Writ of Certiorari and is filing the Return by Monday, March 14, 2022. In addition, the undersigned attorney has had a number of state, and federal matters to attend to since February 4, 2022. Specifically,

1. Counsel filed the Respondent's Response to Motion to Alter or Amend Judgment in the matter of Christopher L. Hampton vs. Warden Kenneth Nelson, C/A No. 1:21-1377-MGL-SVH on February 11, 2022;

2. Counsel filed the Return to Petition for Writ of Certiorari in the matter of The State vs. Byron L. Rivers, Appellate Case No. Appellate Case No. 2022-000054, a Charleston County direct appeal matter now pending before the South Carolina Supreme Court on February 17, 2022;

3. Counsel has also been working on the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of William Leon Burnett vs. State of South Carolina, C/A No. 9:21-04014-MGL-MHC. Same is currently scheduled to be filed on Friday, March 11, 2022;

4. Counsel is currently preparing for oral argument in the South Carolina Court of Appeals in the matter of The State vs. Devonta E. Williams, Appellate Case No. 2019-000222 which is scheduled for Tuesday, March 15, 2022;

5. Counsel is also preparing for oral argument in the South Carolina Court of Appeals in the matter of The State vs. Kenneth L. Robinson, Jr., Appellate Case No. 2018-001269 which is scheduled for Thursday, March 17, 2022;

6. Counsel has also been working on the Spartanburg County, capital matter of Ricky Lee Blackwell, #6033 vs. State of South Carolina, C/A No. 2018-CP-42-00928.

WHEREFORE, for good cause shown, counsel respectfully requests a six (6) day extension of time to serve and file the Return to Petition for Writ of Certiorari. This request is made in good faith, and not for the purposes of delay. This extension will make Respondent's Return to Petition for Writ of Certiorari due March 14, 2022.

Respectfully submitted,

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March 8, 2022.