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May 23 2022

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Richland County

Honorable Roger E. Henderson, Circuit Court Judge  
Honorable Jocelyn J. Newman, Circuit Court Judge

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ARYEE HENDERSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2021-001521

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MOTION TO ACCEPT THE THIRD MOTION FOR AN EXTENSION TO SERVE AND FILE  
THE PETITION FOR WRIT OF CERTIORARI AND APPENDIX OUT OF TIME

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Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned counsel requests the relaxation of Rule 243(d), SCACR, and allow leave in which to file the Third Motion for an Extension of Time to File the Petition for Writ of Certiorari and Appendix in this case out of time. In support of this motion, counsel submits the following:

1. The Petition for Writ of Certiorari and Appendix were due to be served and filed with the Court on May 20, 2022.
2. Due to an administrative oversight, our office missed the filing date for the Third Motion for an Extension of time.

3. On April 28, 2022, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of reciprocal general consent, granted in writing, consenting to any requests to motions for extensions or out of time filing up to one month for briefs, returns, petitions, appendices, and records on appeal in matters with Appellate Defense or Appellate Defense (OID) funding, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2022

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

5. Counsel has filed the Third Motion for an Extension of Time simultaneously with this motion.

WHEREFORE, the undersigned counsel would respectfully request that the Court grant counsel's request to relax Rule 243(d), SCACR, and allow leave in which to file the Petition and Appendix in this case out of time based on the above circumstances.

Respectfully submitted,

s/ Jessica M. Saxon  
Jessica M. Saxon  
Appellate Defender

This 23rd day of May, 2022.