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Jun 01 2022

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Honorable William A. McKinnon, Circuit Court Judge

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GREGORY S. GREENE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2021-001470

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE PETITION FOR WRIT OF  
CERTIORARI AND APPENDIX OUT OF TIME

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Pursuant to Rule 240, SCACR, Counsel for Gregory S. Greene respectfully requests the Court to accept this request for an extension of time in which to file the petition for writ of certiorari and appendix in this case out of time. In support of this request, counsel shows the following:

- (1) The petition for writ of certiorari was due to be filed with this Court on May 30, 2022. The time in which to file the petition for writ of certiorari has been previously extended once.
- (2) Due to a clerical error, the second extension was not timely filed.
- (3) Undersigned counsel advised Ms. Chelsey Marto, of the Attorney General's Office, of her intention to file this motion to ask this Court to accept the request for an extension of time in which to file the petition for writ of certiorari out of time. Ms. Marto does not oppose this motion.
- (4) Counsel for Gregory S. Greene respectfully requests a **thirty (30) day extension, until June 29, 2022**, in which to file the petition for writ of certiorari and appendix in this case.

This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

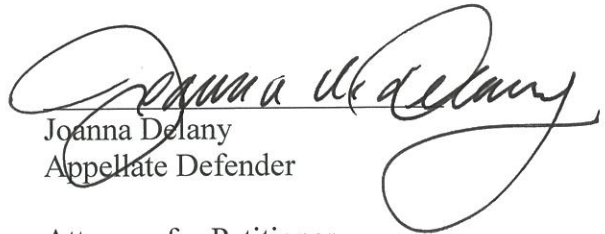
(5) Counsel filed the Final Brief of Appellant on the case of Damion S. Mayers v. The State with the Court of Appeals on May 16, 2022. Counsel filed the Petition for Rehearing in the case of Richard K. Galloway v. The State with the Court of Appeals on May 5, 2022. Counsel filed the Petition for Writ of Certiorari in the case of Frank Muns v. The State with the Supreme Court on April 28, 2022. Counsel filed the Petition for Rehearing in the case of Eric Emanuel English v. The State with the Court of Appeals on April 21, 2022. Counsel filed the Brief of Petitioner in the case of Tappia Deangelo Green v. The State with the Court of Appeals on April 14, 2022. Counsel filed the Return to Petition for Rehearing in the case of Joshua A. Reed v. The State on April 6, 2022.

(6) Counsel makes this request in good faith and not for purpose of delay.

(7) On May 31, 2022, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zeleka for all Appellate Defense extensions through June 30, 2022.

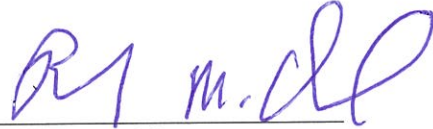
WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension, until June 29, 2022**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joanna Delany", written over a horizontal line.

Joanna Delany  
Appellate Defender

Attorney for Petitioner.

A handwritten signature in blue ink, appearing to read "R. M. Dudek", written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

This 1<sup>st</sup> day of June, 2022.