

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Jul 08 2022

SC Court of Appeals

Appeal from Spartanburg County
R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

PHILLIP RICHARD KNIGHTON,

APPELLANT.

APPELLATE CASE NO. 2021-001048

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Phillip Richard Knighton respectfully requests a thirty (30) day extension from July 8, 2022 until August 8, 2022, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this 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 Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.
2. Counsel filed the return to petition for rehearing in the case of The State v. Sylvester Ferguson III with the Court of Appeals on June 27, 2022. Counsel had an oral argument in The State v. Johnathan Lamar Hillary before the Court of Appeals on June 15, 2022. Counsel was a speaker on proposed orders and Rule 59(e), motions at the IDCA Post-Conviction Relief CLE on June 10, 2022, at the office of the Commission on Indigent Defense. Counsel filed the brief of appellant and designation of matter in the case of The State v. John Thomas

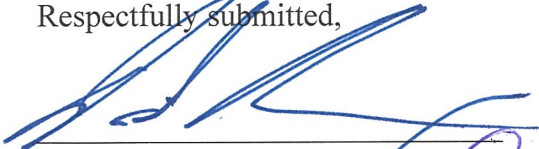
Basile with the Court of Appeals on June 3, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Mark R. Volstromer with the Court of Appeals on May 31, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of James Gregory Younger with the Court of Appeals on May 23, 2022. Counsel filed the brief of appellant in the case of The State v. Jason Donn Lee with the Court of Appeals on May 16, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jarvis Deshun Lucas with the Court of Appeals on May 11, 2022.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

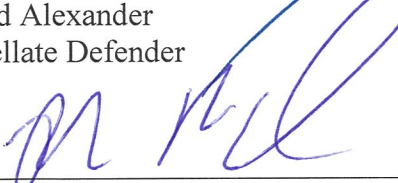
4. On June 30, 2022, opposing counsel, the Attorney General’s Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from July 8, 2022 until August 8, 2022. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 8th day of July, 2022.

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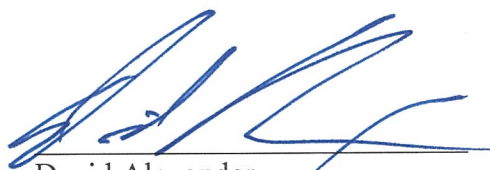
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APPELLANT.

APPELLATE CASE NO. 2021-001048

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 8th day of July, 2022.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Matthews, Lindsey](#)
To: ["Wblitch@scag.gov"](mailto:Wblitch@scag.gov)
Cc: [Caroline Collins](#); [Alexander, David](#)
Subject: 2021-001048 The State v. Phillip Richard Knighton
Date: Friday, July 8, 2022 8:44:00 AM
Attachments: [2021-001048 The State v. Phillip Richard Knighton - Motion for Third Extension.pdf](#)

Attached please find a Motion for Third Extension which will be filed with the Court of Appeals today in the above-referenced case.

Thank you.

Sincerely,
Lindsey M. Matthews
Administrative Assistant
SC Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
P.O. Box 11589
Columbia, SC 29201
Phone: (803) 734-1330