

RECEIVED
Aug 15 2022
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RANDY D. MARCHBANKS,

APPELLANT

APPELLATE CASE NO. 2021-001533

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

Counsel for Randy D. Marchbanks respectfully requests a **fourth and final thirty (30) day extension from August 15, 2022 until September 14, 2022**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.
2. Counsel for Randy D. Marchbanks respectfully submits that extraordinary

circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel was in attendance at the 2022 American Bar Association Annual Meeting in Chicago, Illinois as one of the representatives of the South Carolina Bar Young Lawyers Division from August 4, 2022 through August 7, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Justin Bradley v. The State with the Supreme Court on August 3, 2022. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of William Coleman v. The State with the Supreme Court on August 1, 2022. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of David Crockett Robinson v. The State with this Court on July 27, 2022. Counsel filed the Petition for Certiorari to the Court of Appeals in the case of Jordan Marie Hodge v. The State with the Supreme Court and with this Court on July 25, 2022. Counsel filed the Return to Petition to Writ of Certiorari in the case of The State v. Phillip Wayne Lowery on July 11, 2022 with the Supreme Court. Counsel filed the Brief of Petitioner in the case of Andre Green v. The State with this Court on July 1, 2022.

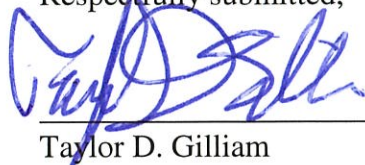
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On July 27, 2022, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of general consent granted in writing, by

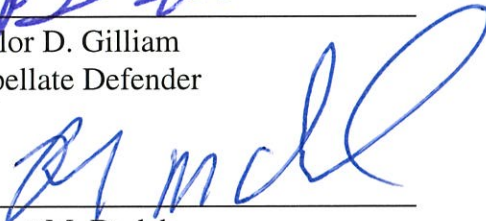
Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from August 15, 2022 until September 14, 2022**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

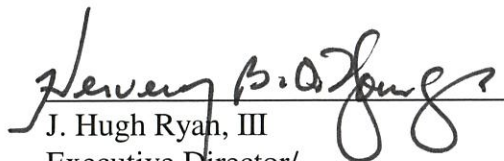
Respectfully submitted,



Taylor D. Gilliam
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 15th day of August, 2022.

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APPELLANT

APPELLATE CASE NO. 2021-001533

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 15th day of August, 2022.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [William Blitch](#)
Cc: [Caroline Collins](#); [Gilliam, Taylor](#)
Subject: 2021-001533 The State v. Randy D. Marchbanks
Date: Monday, August 15, 2022 9:04:00 AM
Attachments: [2021-001533 The State v. Randy D. Marchbanks Fourth Motion for Extension and COS.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Fourth Motion for an Extension of Time and Certificate of Service which will be filed today, August 15, 2022, with the Court of Appeals via OneDrive.

Respectfully,
Kaylynn

Kaylynn Warren

Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330