

RECEIVED

Nov 07 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County

H. Steven DeBerry, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

SAMUEL L. McNEIL,

APPELLANT.

APPELLATE CASE NO. 2022-000093

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

Counsel for appellant respectfully requests a thirty (30) day extension, 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 brief of petition in the case of Carmie Josette Nelson v. State with the Supreme Court on October 7, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tamika M. Scott v. State with the Supreme Court on

October 6, 2022. From September 19, 2022 through September 21, 2022, counsel attended the Annual Public Defender Conference in Myrtle Beach. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Robert Justin Hord v. The State with the Supreme Court on August 26, 2022. Counsel filed the return to petition for writ of certiorari in the case of Anthony McClain v. The State with the Supreme Court on August 12, 2022. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Christopher Johnson v. The State with the Supreme Court on July 27, 2022. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Rickey Tate with the Supreme Court on July 25, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Casey v. The State with the Supreme Court on July 11, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Glover v. The State with the Supreme Court on July 8, 2022.

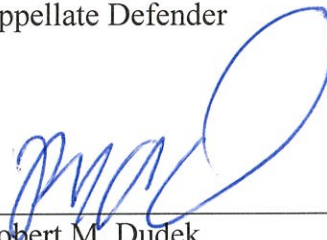
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On November 1, 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 November 30, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/Sarah E. Shipe
Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 7th day of November, 2022.

RECEIVED

Nov 07 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County

H. Steven DeBerry, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

SAMUEL L. McNEIL,

APPELLANT.

APPELLATE CASE NO. 2022-000093

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. Blicht, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 7th day of November, 2022.

s/Sarah E. Shipe
Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: [SC - BLITCH WILLIAM](#)
Cc: [SC - COLLINS CAROLINE](#); [Shipe, Sarah](#)
Subject: Samuel L. McNeil - Extension 3 - Appellate Case No. 2022-000093
Date: Monday, November 7, 2022 10:04:00 AM
Attachments: [Samuel L. McNeil - Extension 3 - Appellate Case No. 2022-000093.pdf](#)

Dear Mr. Blitch,

Attached please find a copy of the third extension in the above referenced case that is being filed today, November 7, 2022, with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Sarah Shipe
Appellate Defense