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Nov 10 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

SAMUEL EARNEST AARON,

APPELLANT

APPELLATE CASE NO. 2022-000312

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

Counsel for Samuel Earnest Aaron respectfully requests a thirty (30) day extension from October 28, 2022 until November 28, 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 were due to be served and filed on October 28, 2022. Due to a clerical error, the third motion was not timely filed. Pursuant to Rule 240, SCACR, counsel respectfully requests the Court to accept this

motion for an extension of time in which to file the initial brief of appellant and designation of matter in this case out of time.

2. Counsel testified as a witness in the PCR Hearing held in the Berkeley County Court of Common Pleas via WebEx in the case of Jeffrey L. Whitsett v. The State on November 1, 2022. Counsel appeared before the Court of Appeals for Oral Argument in the case of Mack Washington v. The State on October 12, 2022. Counsel presented for a CLE on the topic of Emojis in the Law sponsored by the Trial and Appellate Advocacy Section of the South Carolina Bar on October 11, 2022. Counsel filed the *Anders* Brief of Appellant and the Record on Appeal in the case of James Charlie Hawkins v. The State with the Court of Appeals on September 26, 2022. Counsel attended the Annual South Carolina Public Defender Conference from September 19-21, 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-day extension from October 28, 2022 until November 28, 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,



Taylor D Gilliam
Appellate Defender

This 10th day of November, 2022.

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APPELLATE CASE NO. 2022-000312

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 10th day of November, 2022.



Taylor D Gilliam
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [William Blich](#)
Cc: [Gilliam, Taylor](#); [Caroline Collins](#)
Subject: 2022-000312 The State v. Samuel Earnest Aaron
Date: Thursday, November 10, 2022 4:17:00 PM
Attachments: [2022-000312 The State v. Samuel Earnest Aaron Third Motion for Extension and COS.pdf](#)

Good Afternoon,

Please find attached for service in the above-referenced case the Third Motion for an Extension of Time and Certificate of Service which will be filed today, November 10, 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