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Nov 18 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ROBERT L. BAILEY,

APPELLANT

APPELLATE CASE NO. 2022-000239

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

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The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

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 petition for writ of certiorari and accompanying appendix in the case of Bryan Roeker v. The State with the Supreme Court on November 15, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Alexander Rhue, Jr. with this Court on November 14, 2022. Counsel filed the brief of petitioner in the case of Derek

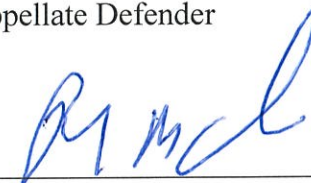
Maner v. The State with this Court on November 2, 2022. Counsel filed the petition for rehearing in the case of Adonis Williams v. The State with this Court on October 27, 2022. Counsel filed the return to State's petition for rehearing in the case of The State v. Michael N. Frasier with the Supreme Court on October 26, 2022. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Lance Antonio Brewton with the Supreme Court on October 24, 2022. Counsel filed the brief of petitioner in the case of Earnest Allen v. The State with this Court on October 19, 2022. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Olandio R. Workman with the Supreme Court on October 13, 2022. Counsel filed the petition for rehearing in the case of Jonathan W. Duncan v. The State with this Court on October 13, 2022. Counsel filed the brief of petitioner in the case of The State v. Byron Labron Rivers with the Supreme Court on October 7, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antwan Jamal Jett v. The State with the Supreme Court on September 29, 2022. Counsel filed the reply to return to petition for writ of certiorari in the case of Kayla Moore v. The State with the Supreme Court on September 28, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Demetrius Thompson with this Court on September 26, 2022. Counsel filed the brief of petitioner in the case of Francisco Rodriguez v. The State with this Court on September 21, 2022.

3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2022. That emailed general consent was dated November 1, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,

  
Kathrine H. Hudgins  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

This 18<sup>th</sup> day of November, 2022.

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APPELLATE CASE NO. 2022-000239

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the motion for extension of time to file initial brief of appellant and designation of matter in the above-referenced case have been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 18<sup>th</sup> day of November, 2022.



Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [SC - BROWN MELODY; "Angela Brown"](#)  
**Cc:** [Hudgins, Kathrine](#)  
**Subject:** Bailey, R. - 3rd Request for Extension for Initial Brief of Appellant - 2022-000239  
**Date:** Friday, November 18, 2022 9:11:00 AM  
**Attachments:** [Bailey, R. - 3rd Request for Extension for Initial Brief of Appellant - 2022-000239.pdf](#)

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Ms. Brown,

Please find attached for service the 3<sup>rd</sup> Request for Extension for Initial Brief of Appellant and Designation of Matter for Robert L. Bailey's appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

**Chris Stock**  
Administrative Assistant  
Commission on Indigent Defense  
Appellate Division  
(803) 734-1330