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Dec 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 **fourth and final thirty (30) day extension from December 7, 2022, until January 6, 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 appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

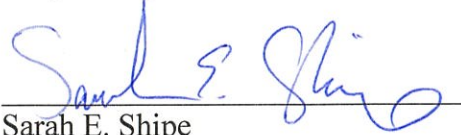
previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari in the case of Davon Clark v. State with the Supreme Court on November 10, 2022. Counsel filed the brief of petitioner 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.

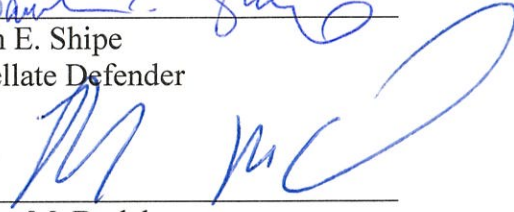
4. On November 29, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from December 7, 2022, until January 6, 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.

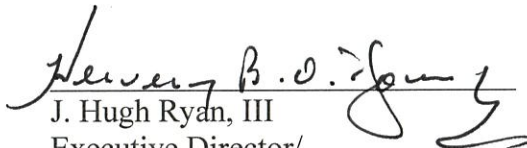
Respectfully submitted,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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

This 7th day of December, 2022.

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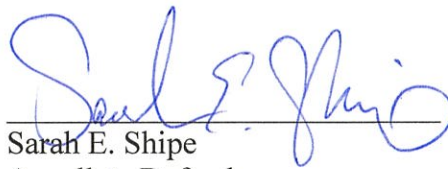
SAMUEL L. McNEIL,

APPELLANT

APPELLATE CASE NO. 2022-000181

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 7th day of December, 2022.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: [SC - BLITCH WILLIAM](#)
Cc: [SC - COLLINS CAROLINE](#); [Shipe, Sarah](#); [Bryant, Hannah](#)
Subject: Samuel L McNeil - Extension 4 - Appellate Case No. 2022-000093
Date: Wednesday, December 7, 2022 11:53:00 AM
Attachments: [Samuel L McNeil - Extension 4 - Appellate Case No. 2022-000093.pdf](#)

Dear Mr. Blitch,

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

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