

**RECEIVED**  
**Dec 16 2022**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenville County

The Honorable R. Scott Sprouse, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

SAMIR KEVIN SHANK,

APPELLANT

APPELLATE CASE NO. 2022-000650

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

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Counsel for Samir Kevin Shank respectfully requests a **fourth and final thirty (30) day extension from December 16, 2022 until January 16, 2023**, 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 Samir Kevin Shank 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 Certiorari to the Court of Appeals and the Appendix in the case of The State v. Amy N. Taylor with the Supreme Court and this Court on December 6, 2022. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Toaby Alexander Trapp v. The State with the Supreme Court on November 18, 2022. Counsel filed the Final Brief of Appellant and Record on Appeal in the case of Michael A. Williams v. The State with this Court on November 9, 2022. Counsel filed the Petition for Rehearing in the case of Michael Edward Williams v. The State with this Court on November 8, 2022. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Terbias Jerrod Goff with this Court on November 7, 2022.

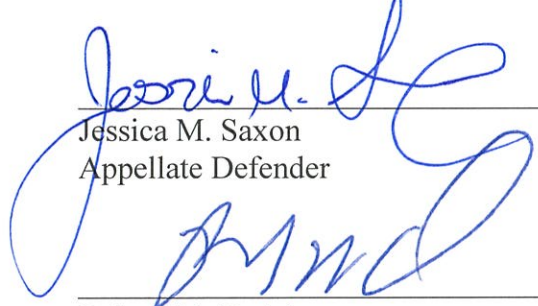
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On November 29, 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 December 31, 2022.


WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from December 16, 2022 until January 16, 2023**, in which to serve

and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

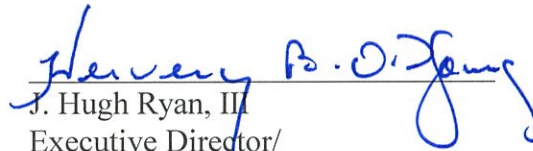
Respectfully submitted,



Jessica M. Saxon  
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 16th day of December, 2022.

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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 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 16th day of December, 2022.

  
Jessica M. Saxon  
Appellate Defender  
ATTORNEY FOR APPELLANT

**From:** [Warren, Kaylynn](#)  
**To:** [William Blich](#)  
**Cc:** [Saxon, Jessica](#); [Caroline Collins](#)  
**Subject:** 2022-000650 The State v. Samir Kevin Shank  
**Date:** Friday, December 16, 2022 9:07:00 AM  
**Attachments:** [2022-000650 The State v. Samir Kevin Shank Fourth Motion for Extension and COS.pdf](#)

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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, December 16, 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