

RECEIVED
Dec 19 2022
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBERT L. BAILEY,

APPELLANT

APPELLATE CASE NO. 2022-000239

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

Counsel for Robert L. Bailey respectfully requests a **fourth and final thirty (30) day extension from December 19, 2022, until January 18, 2023**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. 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 Robert L. Bailey respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case

of The State v. Jonathan Duncan with the Supreme Court on December 9, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jeffery Truesdale with the Court of Appeals on December 8, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Austin McQuarters v. The State with the Supreme Court on December 5, 2022. Counsel filed the second petition for rehearing in the case of Adonis Williams v. The State with the Court of Appeals on November 28, 2022. Counsel filed the brief of petitioner in the case of Shiquan Tyon Cwiklinski v. The State with the Supreme Court on November 22, 2022. 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 Court of Appeals on November 14, 2022. Counsel filed the brief of petitioner in the case of Derek Maner v. The State with the Court of Appeals on November 2, 2022. Counsel filed the petition for rehearing in the case of Adonis Williams v. The State with the Court of Appeals 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 the Court of Appeals on October 19, 2022.

4. Counsel makes this request in good faith and not for purpose of delay.

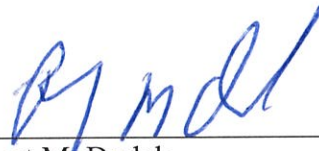
5. On November 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2022.

WHEREFORE, the undersigned counsel respectfully requests a **fourth and final thirty (30) day extension from December 19, 2022 until January 18, 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. 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.

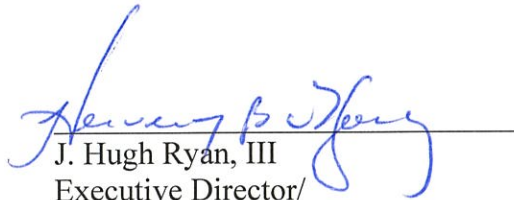
Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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 19th day of December, 2022.

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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 of time to serve and file the initial brief of appellant and designation of matter in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of December, 2022.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Hudgins, Kathrine](#)
Subject: Bailey, R. - 4th Request for Extension for Initial Brief of Appellant - 2022-000239
Date: Monday, December 19, 2022 12:20:00 PM
Attachments: [Bailey, R. - 4th Request for Extension for Initial Brief of Appellant - 2022-000239.pdf](#)

Ms. Brown,

Please find attached for service the 4th 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