

**RECEIVED**

**Dec 29 2022**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Court of General Sessions

Grace Gilchrist Knie, Circuit Court Judge

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Appellate Case No. 2022-000485  
Case No.: 2020A4210101023  
Case No.: 2020A4210101024  
Case No.: 2020A4210101025

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The State..... Respondent

v.

Donald King Pollock ..... Appellant

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MOTION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL

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COMES NOW, Jack B. Swerling, attorney for the Appellant, requesting an extension to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. Counsel has previously requested several extensions, and the current deadline for the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal is due January 3, 2023.

Counsel respectfully requests an additional extension of 30-days to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on

Appeal due to the following:

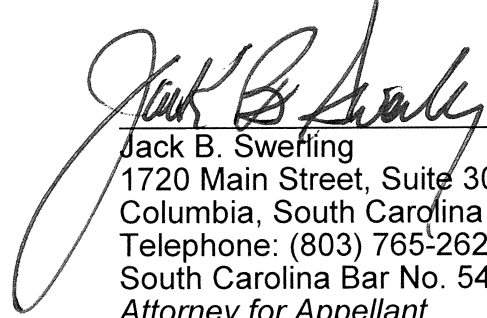
1. On Tuesday, November 15<sup>th</sup>, Counsel developed an onset of pain in his back. Counsel went to his primary care physician, Dr. Jeff Hook the following day and received a steroid and pain injection in his lower back.
2. On Monday, November 21<sup>st</sup>, the pain continued, and Counsel returned to Dr. Hook for another injection. Counsel was also given a steroid pack. Counsel spent the rest of the week in bed, as well as most of the week of November 28, 2022, with the exception of December 1, 2022, when he came to his office briefly to sign some motions.
3. On Saturday, November 26<sup>th</sup>, the pain continued and Counsel was taken to Baptist Hospital Emergency Room by ambulance. Counsel received an X-Ray and had an MRI done to determine the cause of the pain in his back.
4. On Tuesday, November 29<sup>th</sup>, Counsel saw Dr. Gregory Grabowski of Prisma Orthopedics who interpreted the MRI. Counsel received an epidural steroid injection in his back on Thursday, December 1<sup>st</sup>, which has had little positive effect.
5. According to the physicians, the MRI showed varying degrees of arthritis throughout the lumbar spine. See attached note from Main Street Physicians, dated December 7, 2022. This is a first back episode for counsel, and due to the pain, counsel has had to cancel appointments and court appearances since November 21, 2022,

including a murder trial on December 12, 2022 in Lancaster.

Counsel's paralegal has consulted with William M. Blicht, Jr., Assistant Attorney General, and he has no objection to an additional 30-day extension.

WHEREFORE, for good cause shown, counsel respectfully requests a 30-day extension of time to serve and file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal until February 3, 2023. This request is made in good faith, and not for the purposes of delay.

Respectfully submitted,



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Jack B. Swerling  
1720 Main Street, Suite 301  
Columbia, South Carolina 29201  
Telephone: (803) 765-2626  
South Carolina Bar No. 5457  
*Attorney for Appellant*

December 29, 2022  
Columbia, South Carolina

I support the finding of good cause and believe the extension is warranted.

A handwritten signature in black ink, appearing to read 'Alissa L. Wilson', written over a horizontal line.

Alissa L. Wilson  
1720 Main Street, Suite 301  
Columbia, South Carolina 29201  
Telephone: (803) 765-2626  
South Carolina Bar No. 101602

December 29, 2022  
Columbia, South Carolina



Jeffrey D. Hook, MD | Nathaniel C. Stocker, APRN

Date: 12/7/2022

Re: Jack Swerling

DOB:

Recommendations From Dr. Hook:

Notify patient that I was ultimately able to get his MRI report of his lumbar spine and this shows varying degrees of arthritis throughout the lumbar spine, most significant at L4-5 where there is some central canal stenosis as well as some subluxation, in which L4 does not sit appropriately on top of L5. I suspect he will be offered an epidural steroid injection at L4-5 along with physical therapy, which I suspect would help immensely. Sorry it took so long to get this information but were having a lot of trouble getting scans and information from Prisma.

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PROOF OF SERVICE

I, Kellie S. Reaves, certify that I have served the **Motion for Extension to File the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal** on the following, by depositing a copy of it in the United States Mail, postage prepaid, on December 29, 2022, addressed to:

William M. Blich, Jr., Esquire  
Office of the South Carolina Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549



Kellie S. Reaves  
Paralegal to Jack B. Swerling  
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