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Jan 05 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of General Sessions

R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2022-000487
Case No.: 2020-GS-04-00823

The State Respondent

v.

Keland Alexander Marqui Hailey Appellant

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

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 previously requested an additional extension that was granted and extended until January 6, 2023.

Counsel would respectfully request an additional thirty day extension to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal due to the following:

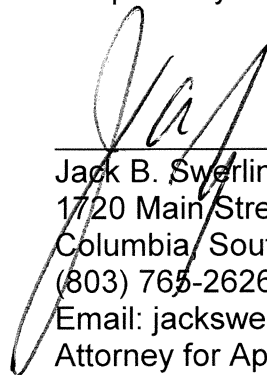
1. On Tuesday, November 15th, Counsel developed an onset of pain in his back. Counsel went to his primary care physician, Dr. Jeff Hook the following day and received a steroid and pain injection in his lower back.
2. On Monday, November 21st, the pain continued, and Counsel returned to Dr. Hook for 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 26th, 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 29th, Counsel saw Dr. Gregory Grabowski of Prisma Orthopedics who interpreted the MRI. Counsel received an epidural steroid injection in his back on Thursday, December 1st, 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, Kellie S. Reaves, has consulted with William M. Blich, Jr., and he has no objection and consents to the request by counsel.

WHEREFORE, counsel prays the Court will grant an additional thirty day extension to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal for the foregoing reasons. This would give a new deadline of February 6, 2023.

Respectfully submitted,



Jack B. Swerling
1720 Main Street, Suite 301
Columbia, South Carolina 29201
(803) 765-2626
Email: jackswerling@gmail.com
Attorney for Appellant

Columbia, South Carolina
January 4, 2023

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PROOF OF SERVICE

I, Kellie S. Reaves, certify that I have served the Motion for Extension to File Initial Brief of Appellant and Designation of Matter to Be Included In the Record on Appeal on January 5, 2023 by email to the following:

Melody J. Brown, Esquire
mbrown@scag.gov



Kellie S. Reaves, Paralegal
Law Offices of Jack B. Swerling
1720 Main Street, Suite 301
Columbia, SC 29201
t: 803-765-2626 e: kellie@jbswerling.com

Columbia, South Carolina
January 4, 2023