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Jan 09 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County

J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BOBBY RAY MCCLURE, JR.

APPELLANT

APPELLATE CASE NO. 2022-000347

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

Counsel for Bobby Ray McClure respectfully requests a thirty (30) day extension from January 9, 2023 until February 8, 2023 , in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.
2. Counsel filed the Petition for Writ of Certiorari in the case of Samuel Jeter v. The

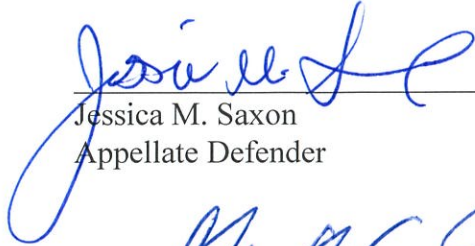
State with the Supreme Court on January 6, 2023. Counsel filed the Petition for Certiorari to the Court of Appeals and the Appendix in the case of The State v. Amy N. Taylor with the Supreme Court on December 6, 2022. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Toaby 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.

3. This request is made in good faith, and not for purposes 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.

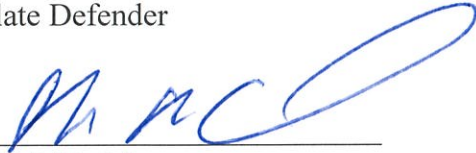
4. On December 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 9, 2023 until February 8, 2023. 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,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 9th day of January, 2023.

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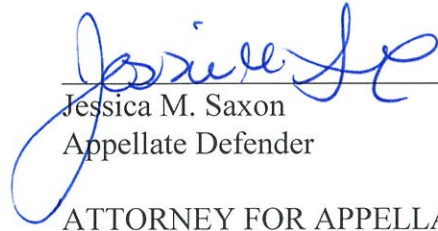
BOBBY RAY MCCLURE, JR.

APPELLANT

APPELLATE CASE NO. 2022-000347

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 9th day of January, 2023.



Jessica M. Saxon
Appellate Defender
ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [William Blich](#)
Cc: [Saxon, Jessica](#); [Caroline Collins](#)
Subject: 2022-000347 The State v. Bobby Ray McClure, Jr.
Date: Monday, January 9, 2023 11:22:00 AM
Attachments: [2022-000347 The State v. Bobby Ray McClure, Jr. Third Motion for Extension and COS.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Third Motion for an Extension of Time and accompanying Proof of Service which will be filed today, January 9, 2023, 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