

**RECEIVED**  
**Dec 28 2022**  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM MARLBORO COUNTY  
Court of General Sessions

Benjamin H. Culbertson, Circuit Court Judge

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Appellate Case No.: 2021-000688

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The State,

Respondent,

v.

Haneef A. Childs,

Appellant.

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MOTION REQUESTING PERMISSION TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER OUTSIDE OF DEADLINE


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The undersigned would respectfully request permission to file the Initial Brief and Designation of Matter outside of the deadline in this matter. In support of this motion counsel states the following:

1. In January 2022, counsel discovered that there was a motion still pending in the underlying case and requested additional time to determine what the next course of action needed to be.
2. On February 17, 2022 counsel wrote to this court requesting guidance in regards to how to handle the issue of the unresolved motion.
3. On February 21, 2022 an email response from the solicitor in the underlying case advised that the motion was heard by Judge Culbertson on June 18, 2021 and a transcript of that hearing needed to be requested.
4. On March 8, 2022 counsel requested the transcript of the hearing on the motion.
5. In April 2022 counsel suffered a severe injury to her leg and had to have surgery.
6. In May 2022 counsel had to have emergency surgery to address an infection that set in after the initial surgery on her leg in April 2022. Counsel was protected from appearing in court through June 2022 to allow her to recover.

7. Counsel was recovering from surgeries and a 10 inch incision in her leg for approximately 6 months.
8. On June 27, 2022 counsel provided a copy of the transcript of the motion hearing to this court and requested guidance on further action.
9. On December 16, 2022 counsel received a letter from this court advising the initial brief and designation of matter should have been served and filed with this court and gave a ten (10) day deadline to file same along with this motion.
10. Due to the Christmas holiday today, December 28, 2022 is the deadline to file the initial brief, designation of matter and this motion.

December 28, 2022



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Aimee J. Zmroczek, Esq., SC Bar #77193  
P.O. Box 11961  
Columbia, South Carolina 29211  
Telephone: 803-400-1918  
Fax: 803-403-8005  
ajzlawfirm@gmail.com  
Attorney for Appellants

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PROOF OF SERVICE

I certify that I have served the Motion Requesting Permission to File Initial Brief and Designation of Matter Outside of Deadline on the persons listed below via email and/or via United States Mail postage prepaid on December 28, 2022.

Elizabeth Rogers Munnerlyn, Esq.  
elizabethmunnerlyn@solicitor4.com

Alan McCrory Wilson, Esq.  
William M. Blich, Jr., Esq.  
PO Box 11549  
Columbia, SC 29211

  
Aimee J. Zmroczek, Esq., SC Bar#77193  
P.O. Box 11961  
Columbia, South Carolina 29211  
Telephone: 803-400-1918  
Fax: 803-403-8005  
ajzlawfirm@gmail.com  
Attorney for Appellant