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Jan 18 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Edgar W. Dickson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ANTLY JERMAINE SCOTT,

APPELLANT.

APPELLATE CASE NO. 2022-000266

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

Counsel for appellant respectfully requests a **final extension of twenty days, until February 7, 2023**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel regrets having to request this extension and will make every effort to file the brief prior to the deadline.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fifth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel four previous extensions. **Counsel understands that a fifth extension is strongly disfavored.**

2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **The transcripts in this case are over twenty-five hundred pages.** Due to the complexity of the case and the issues to be raised, an additional final extension is needed. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

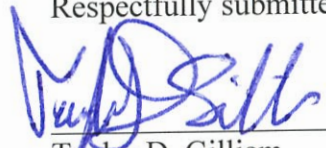
3. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Perez Brooks v. State with the Supreme Court on January 17, 2023. Counsel traveled out of state for a weeklong family vacation January 9 – 14, 2023. Counsel filed the initial brief of appellant and designation in the case of State v. Kendrick Blackwell with the Court of Appeals on January 6, 2023. Counsel filed the Anders brief of appellant in the case of State v. Samuel Aaron with the Court of Appeals on December 21, 2022. Counsel filed the brief of petitioner in the case of Jarret Graddick v. State with the Court of Appeals on December 12, 2022. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of William Bruce Justice v. State with the Supreme Court and Court of Appeals on December 6, 2022. Counsel appeared before the Court of Appeals for Oral Argument in the case of Mitchell Rivers v. State on December 6, 2022. Counsel presented at Public Defense 101: Fundamentals of the Profession on November 21, 2022. Counsel attended the Appellate Advocacy Workshop: Oral Argument seminar on November 19, 2022.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that his caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request by way of reciprocal consent to all extensions between the Attorney General's Office and Appellate Defense through January 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **final extension of twenty days until February 7, 2023**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

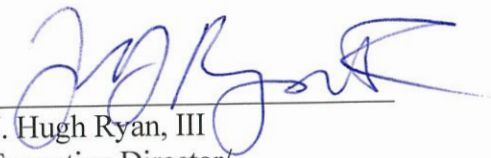


Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR APPELLANT



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 18th day of January, 2023.

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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 in the above referenced case has been served upon Melody Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 18th day of January, 2023.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: [SC - BROWN MELODY](#); [SC - BROWN ANGELA](#)
Cc: [Gilliam, Taylor](#)
Subject: Antly Jermaine Scott - Extension 5 - Appellate Case No. 2022-000266
Date: Wednesday, January 18, 2023 4:16:00 PM
Attachments: [Antly Jermaine Scott - Extension 5 - Appellate Case No. 2022-000266.pdf](#)

Dear Ms. Brown,

Attached please find a copy of the fifth extension in the above referenced case that is being filed today, January 18, 2023, with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Taylor Gilliam
Appellate Defense