

RECEIVED
Jan 18 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County

William A. McKinnon, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TERRY SHAIMEK TYLER,

APPELLANT.

APPELLATE CASE NO. 2021-001316

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

Counsel for Terry Shaimek Tyler respectfully requests a **fourth and final thirty (30) day extension January 18, 2023 until February 17, 2023**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.

2. Counsel for Terry Shaimek Tyler respectfully submits that extraordinary

circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Reply to Return to Petition for Writ of Certiorari Pursuant to Mack v. State in the case of John Willie Mack, Sr. v. The State with this Court on January 13, 2023. Counsel filed the Petition for Writ of Certiorari and the Appendix 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.

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 the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

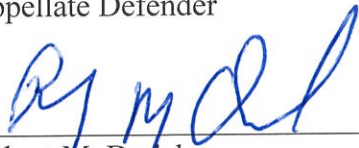
5. On December 28, 2022, opposing counsel, the Office of the Attorney General, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from January 18, 2023 until February 17, 2023**, in which to serve

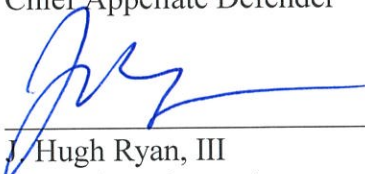
and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,

s/ Jessica M. Saxon
Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



Hugh Ryan, III
Executive Director/
Hervery 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 William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 18th day of January, 2023.

s/ Jessica M. Saxon
Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [William Blich](#)
Cc: [Caroline Collins](#); [Saxon, Jessica](#)
Subject: 2021-001316 The State v. Terry Shaimek Tyler
Date: Wednesday, January 18, 2023 8:48:00 AM
Attachments: [2021-001316 The State v. Terry Shaimek Tyler Fourth Motion for Extension and COS.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for an Extension of Time and accompanying Certificate of Service which will be filed today, January 18, 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