

RECEIVED
Feb 06 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Jasper County
Bentley Price, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

OSMAN UVALDO JIMINEZ BENITEZ,

APPELLANT.

APPELLATE CASE NO. 2021-001500

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

Counsel for Osman Uvaldo Jimenez Benitez respectfully requests a thirty (30) day extension, in which to serve and file the initial brief of appellant and designation of matter in this case. 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 return to petition for rehearing in the case of State v. Kenneth Lamont Robinson, Jr. in this Court on January 30, 2023. Counsel filed the brief of respondent in the case of Carnie Norris v. State in this Court on January 27, 2023. Counsel filed the reply to return to petition for writ of certiorari to the Court of Appeals in the case of State v. Nicholas

Benjamin Chhith-Berry in the Supreme Court on January 19, 2023. Counsel filed the reply brief of petitioner in the case of State v. Robert Lee Miller, III in the Supreme Court on January 19, 2023. Counsel filed the reply to return to petition for writ of certiorari to the Court of Appeals in the case of State v. Joseph Lamar Brown, Jr. in the Supreme Court on January 17, 2023. Counsel filed the initial reply brief of appellant in the case of State v. Charvix Wright in this Court on January 13, 2023. Counsel filed the brief of petitioner in the case of State v. Gabrielle Oliva Lashane Davis Kocsis in the Supreme Court on January 9, 2023. Counsel filed the initial brief of appellant in the case of State v. Christopher Jamel Brisbon in this Court on January 9, 2023. Counsel filed the petition for rehearing in the case of State v. Brian Neil White in this Court on December 29, 2022. Counsel filed the petition for rehearing in the case of State v. Michael Larone Williams in this Court on December 29, 2022. Counsel filed the petition for rehearing in the case of State v. Philip David Guderyon in this Court on December 22, 2022. Counsel filed the petition for writ of certiorari in the case of Filiberto Garcia Campos v. State in the Supreme Court on December 14, 2022. Counsel filed the reply brief of petitioner in the case of State v. Travis Latrell Lawrence in the Supreme Court on December 13, 2022. Counsel filed the return to petition for rehearing in the case of State v. Devin Jamel Johnson in this Court on December 9, 2022. Counsel filed the petition for rehearing in the case of State v. Xzariera Okevis Gray in this Court on December 8, 2022. Counsel had an oral argument in the case of State v. Calvin D. Ford in this Court on December 7, 2022. Counsel had an oral argument in the case of State v. Kayla Marie Cook in this Court on December 6, 2022.

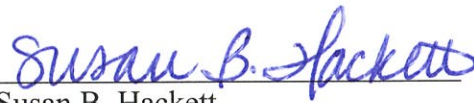
3. This request is made in good faith, and not for purposes of delay.

4. On February 1, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy

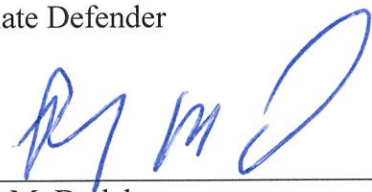
Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2023.

WHEREFORE, the undersigned counsel respectfully requests a thirty-day extension from February 6, 2023 until March 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,



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 6th day of February, 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 of time to file the initial brief of appellant and designation of matter 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), which is wblitch@scag.gov, this 6th day of February, 2023.


Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BLITCH WILLIAM](#); [SC - COLLINS CAROLINE](#)
Cc: [Hackett, Susan](#)
Subject: Benitez, O. - 3rd Extension for B&D - 2021-001500
Date: Monday, February 6, 2023 10:00:00 AM
Attachments: [Benitez, O. - 3rd Extension for B&D - 2021-001500.pdf](#)

Mr. Blitch,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for Osman Uvaldo Jiminez Benitez's appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

Chris Stock
Administrative Assistant
Commission on Indigent Defense
Appellate Division
(803) 734-1330