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Apr 10 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.

TRAVIS LAMONT GATHERS,

APPELLANT

APPELLATE CASE NO. 2022-001053

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

Counsel for Travis Lamont Gathers, respectfully requests a **fourth and final thirty (30) day extension until May 8, 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. The Court has granted counsel three previous extensions.
2. Counsel for Travis Lamont Gathers, 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 had an oral argument in the case of State v. Samuel Lamar Burnside in the Court of Appeals on April 6, 2023. Counsel filed the Johnson Petition for Writ of Certiorari and accompanying Appendix in the case of Isaac Wright v. The State with the Supreme Court on March 30, 2023. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Ronnie Bonner v. The State with the Supreme Court on March 29, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of State v. Leslie Keiffer with the Court of Appeals on March 14, 2023. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of The State v. Xzariera Okevis Gray with the Supreme Court on March 6, 2023.

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.

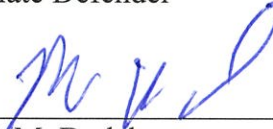
5. On April 4, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through April 30, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **May 8, 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,



Sarah E. Shipe
Appellate Defender



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 7th day of April, 2023.

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies that a copy of the Motion for an Extension of Time to Serve and 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 email address listed in the Attorney Information System (AIS), this 7th day of April, 2023.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Bryant, Hannah](#)
To: [SC - BLITCH WILLIAM](#); [SC - COLLINS CAROLINE](#); [Shipe, Sarah](#)
Subject: Travis Gathers Appellate Case No. 2022-001053 Extension 4
Date: Friday, April 7, 2023 8:51:00 AM
Attachments: [Travis Gathers Extension 4 Appellate Case No. 2022-001053.pdf](#)

Dear Mr. Blitch,

Please find attached for service a copy of the fourth extension in the above referenced case, which will be filed in the Court of Appeals today.

Hannah Bryant

Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
1330 Lady Street, Suite 401
(803)-734-1330