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Jun 12 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County

D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LARRY JA JUAN SCIPIO, JR.

APPELLANT

APPELLATE CASE NO. 2022-000949

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

Counsel for Larry Ja Juan Scipio respectfully requests a **fourth and final thirty (30) day extension June 12, 2023 until July 12, 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 Larry Ja Juan Scipio 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel for Quinterious R. Truesdale 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 his caseload, counsel hopes that no further extension requests will be required.

4. Counsel filed the Brief of Appellant and the Record on Appeal in the murder case of The State v. Earl Gene Johnson, Jr. with the Court of Appeals on June 1, 2023. Counsel is presently working on the Initial Brief of Appellant in the murder case of The State v. Gabriel Curry, which has a lengthy transcript and many exhibits, and he intends to file the brief and designation of matter with the Court this week. Counsel is second chair in South Carolina v. Angela Brewer in which a brief in opposition to the state's petition for writ of certiorari was filed on Monday, May 15, 2023. Counsel was on scheduled vacation from May 1-13, 2023. Counsel filed the Reply Brief of Petitioner for the capital appeal in the case of Marion Alexander Lindsey v. The State on or about April 28, 2023. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Bowen Gray Turner with the Court of Appeals on April 25, 2023. Counsel filed the petition for rehearing in the death penalty case of The State v. Timothy Ray Jones, Jr. on April 13, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Dabry Aunta James with the Court of Appeals on April 5, 2023. Counsel appeared before the Supreme Court for oral argument in the murder case of The State v. William C. Sellers on Thursday, March 30, 2023. Counsel and co-counsel Lara M. Caudy filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Bowen Gray Turner with the Court of Appeals on March 16, 2023. Counsel appeared before the Supreme

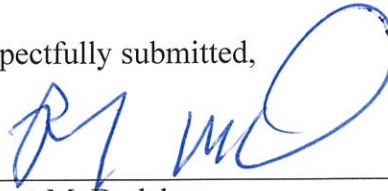
Court for oral argument as the respondent in the attempted case of The State v. James Caleb Williams on March 8, 2023. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

5. 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.

6. On May 31, 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 June 30, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from June 12, 2023 until July 12, 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,



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 12th day of June, 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 J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 12th day of June, 2023.

Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT