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Jul 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 **fifth and final eight (8) business day extension from July 12, 2023 until Monday, July 24, 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.

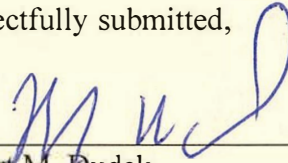
3. Counsel, with co-counsel David Alexander, will be filing the Petition for Rehearing in the death penalty case of Andres Antonio Torres v. The State with the Supreme Court today, July 12, 2023. Counsel was a trainer on error preservation and co-group session leader at the Public Defense 103 Seminar in Greenville, South Carolina from July 5-7, 2023. Counsel, with co-counsel Lara M. Caudy, is preparing the Petition for Rehearing in the case of The State v. Tammy Caison Moorner to be filed with the Court of Appeals on or before Thursday, July 20, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Quinterious R. Truesdale with this Court on June 30, 2023. Counsel also filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Gabriel Dantray Curry with this Court on June 30, 2023. 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 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 also has extensive administrative duties as the Chief Appellate Defender.**

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 June 30, 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 July 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fifth and final eight (8) business day extension from July 12, 2023 until Monday, July 24, 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 July, 2023.

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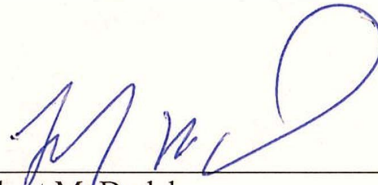
LARRY JA JUAN SCIPIO, JR.

APPELLANT

APPELLATE CASE NO. 2022-000949

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 July, 2023.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [SC - BROWN MELODY](#)
Cc: [Dudek, Robert](#); [Angela Brown](#)
Subject: 2022-000949 The State v. Larry Ja Juan Scipio
Date: Wednesday, July 12, 2023 9:58:00 AM
Attachments: [2022-000949 The State v. Larry Ja Juan Scipio Fifth Motion for Extension and COS.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fifth Motion for Extension which will be filed today, July 12, 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