

RECEIVED

Jul 14 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Clifton Newman, Circuit Court Judge

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

CHARLES JASON CARMICHAEL,

APPELLANT.

Appellate Case No. 2022-001717

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

Counsel for Appellant Charles Jason Carmichael respectfully requests a **fourth and final thirty (30) day extension** in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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 for Appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Undersigned counsel has managed a heavy workload as well as personal and family health issues over the last month and as such has been unable to timely complete the Initial Brief of Appellant.

3. In the past month undersigned counsel has appeared for and attended five depositions in relation to the South Carolina asbestos docket, several of which extended over multiple days. Counsel has additionally worked on several motions for summary judgment, memorandums in support, mediation memoranda, case assessment memoranda, drafted answers to complaints, and completed extensive litigation research for active client files while working to complete the brief in this matter. Further, undersigned counsel has been out of office for personal health reasons and to manage the healthcare and housing arrangements for a parent recently diagnosed with significant cognitive decline.

4. The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. Counsel is currently working on the brief in this case and intends to have it completed shortly; however, undersigned counsel has not yet been able to finish the brief due to a heavy workload and the extensive research involved. Accordingly, to ensure the brief is properly researched and prepared, counsel would therefore request an additional extension of time within which to serve and file the brief. Counsel does not believe further extensions will be required.

WHEREFORE, for good cause shown, counsel respectfully requests a **fourth and final thirty (30) day extension**. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

(Signature Page Follows)

Respectfully Submitted,

By: s/ Yasmeen Ebbini Klein

Yasmeen Ebbini Klein

South Carolina Bar 104681

E-Mail: yasmeen.klein@nelsonmullins.com

1320 Main Street / 17th Floor

Post Office Box 11070 (29211-1070)

Columbia, SC 29201

(803) 799-2000

Attorney for Appellant Charles Jason Carmichael

By: s/ A. Mattison Bogan

A. Mattison Bogan

South Carolina Bar 72629

E-Mail: matt.bogan@nelsonmullins.com

1320 Main Street / 17th Floor

Post Office Box 11070 (29211-1070)

Columbia, SC 29201

(803) 799-2000

Columbia, South Carolina

July 14, 2023

RECEIVED

Jul 14 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

The Honorable Clifton Newman, Circuit Court Judge

Appellate Case No. 2022-001717
Case No. 2021-GS-40-05204
2021-GS-40-05205
2022-GS-40-04327
2022-GS-40-04328

The State,

Respondents

v.

Charles Jason Carmichael

Appellant.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, counsel for Appellant Charles Jason Carmichael, hereby certify that I have served all counsel in this action with a copy of the pleading(s) specified below via electronic mail, pursuant to Supreme Court Order 2022-05-06-03, and a copy of the sent electronic mail is attached to this certificate:

Pleadings: Motion for Extension of Time to Serve and File the Initial Brief of Appellant and Designation of Matter

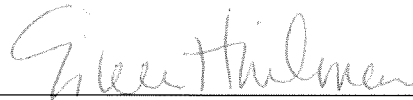
Counsel Served: Kathryn Cavanaugh, Esquire
Fifth Circuit Solicitor's Office
PO Box 192
Columbia, SC 29202-0192
cavanaugh.kathryn@richlandcountysc.gov

Alan McCrory Wilson, Esquire
Melody Jane Brown, Esquire
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549
agwilson@scag.gov
mbrown@scag.gov

Attorneys for Respondent The State

Robert Michael Dudek, Esquire
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29211
rdudek@sccid.sc.gov

Attorneys for Appellate Charles Jason Carmichael



Eileen Hindman
Administrative Assistant

Columbia, South Carolina

07/14, 2023

Eileen Hindman

From: Eileen Hindman
Sent: Friday, July 14, 2023 2:00 PM
To: 'cavanaugh.kathryn@richlandcountysc.gov'; 'awilson@scag.gov'; 'mbrown@scag.gov'; 'rdudek@sccid.sc.gov'; Yasmeen Klein
Subject: The State v. Charles Jason Carmichael - Case No. 2022-001717
Attachments: Motion for 4th Extension (Carmichael).pdf; Proof of Service (Carmichael).pdf

Good afternoon,

Attached for service upon you in the above matter is Appellant's Motion for Extension and Proof of Service.

Thank you,



EILEEN HINDMAN SENIOR ADMINISTRATIVE ASSISTANT
eileen.hindman@nelsonmullins.com

MERIDIAN | 17TH FLOOR
1320 MAIN STREET | COLUMBIA, SC 29201
T 803.255.9204 F 803.256.7500
NELSONMULLINS.COM