

RECEIVED

Aug 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JUSTIN TYLER ELLAREE HOPKINS,

APPELLANT

APPELLATE CASE NO. 2022-001567

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

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The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

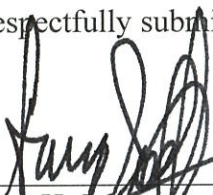
1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shaun Rogers v. The State with the Supreme Court on August 7, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jason Forde v. The State with the Supreme Court on July 3, 2023. Counsel filed the initial brief of appellant and designation

of matter in the case of The State v. Bryan Cooper with the Court of Appeals on July 3, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Nevelle Eberhart with the Court of Appeals on June 27, 2023.

3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2023. That emailed general consent was dated August 1, 2023.

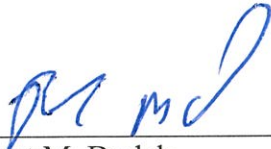
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Gary H. Johnson  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 11<sup>th</sup> day of August, 2023.

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CERTIFICATE OF SERVICE

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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 initial brief of appellant and designation of matter in the above-referenced case have been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 11<sup>th</sup> day of August, 2023.



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Gary H. Johnson  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [SC - BROWN MELODY; Angela Brown](#)  
**Cc:** [Johnson, Gary](#)  
**Subject:** Hopkins, J - 3rd Request for Extension for Initial Brief of Appellant - 2022-001567  
**Date:** Friday, August 11, 2023 9:06:00 AM  
**Attachments:** [Hopkins, J - 3rd Request for Extension for Initial Brief of Appellant - 2022-001567.pdf](#)

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Ms. Brown,

Please find attached for service the 3<sup>rd</sup> Request for Extension for Initial Brief of Appellant and Designation of Matter for Justin Tyler Ellaree Hopkins' 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