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Aug 30 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Heath P. Taylor, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DELMAR RACORY SANDERS,

APPELLANT

APPELLATE CASE NO. 2022-001243

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

Counsel for Delmar Racory Sanders respectfully requests a **fourth and final thirty (30) day extension from August 30, 2023, until September 29, 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 Delmar Racory Sanders 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.

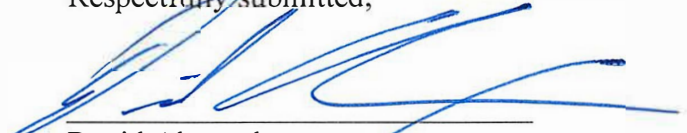
3. Counsel filed the Brief of Respondent in the case of In The Matter of the Care and Treatment of Ronald MJ Gregg with the Supreme Court on August 14, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Mitchell Cheatham v. The State with the Supreme Court on August 14, 2023. On July 21, 2023, Counsel attended and was a speaker at a CLE. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of In the Matter of the Care and Treatment of Antonio D. Patterson with this Court on July 19, 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 August 1, 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 August 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from August 30, 2023, until September 29, 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.

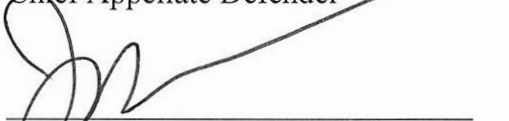
Respectfully submitted,



David Alexander
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 30th day of August, 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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 30th day of August, 2023.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [Mark Farthing](#); [Grace Sommer](#); [Caroline Collins](#)
Cc: [Alexander, David](#)
Subject: 2022-001243 The State v. Delmar Racory Sanders Fourth Motion for Extension
Date: Wednesday, August 30, 2023 8:57:00 AM
Attachments: [2022-001243 The State v. Delmar Racory Sanders Fourth Motion for Extension.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Fourth Motion for Extension in which to serve and file the Initial Brief of Appellant and Designation of Matter. This extension will be filed today, August 30, 2023, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

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