

RECEIVED

Sep 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JUSTIN TYLER ELLAREE HOPKINS,

APPELLANT

APPELLATE CASE NO. 2022-001567

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

Counsel for Justin Tyler Ellaree Hopkins respectfully requests a **fourth and final ten (10) day extension from September 11, 2023, until September 21, 2023**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. 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 on September 11, 2023.
2. Counsel for Justin Tyler Ellaree Hopkins respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed the initial brief of appellant and designation of matter in the case of

The State v. Candie Shearin with the Court of Appeals on August 31, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Demario Thompson v. The State with the Supreme Court on August 25, 2023. 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.

4. Counsel makes this request in good faith and not for purpose of delay.

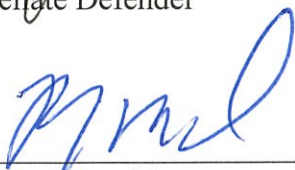
5. On September 1, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2023.

WHEREFORE, the undersigned counsel respectfully requests a **fourth and final ten (10) day extension from September 11, 2023, until September 21, 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. 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,



Gary H. Johnson
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 11th day of September, 2023.

RECEIVED

Sep 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JUSTIN TYLER ELLAREE HOPKINS,

APPELLANT

APPELLATE CASE NO. 2022-001567

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 of time to serve and file the initial brief of appellant and designation of matter 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 11th day of September, 2023.



Gary H. Johnson
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Johnson, Gary](#)
Subject: Hopkins, J - 4th Request for Extension for Initial Brief of Appellant - 2022-001567
Date: Monday, September 11, 2023 9:33:00 AM
Attachments: [Hopkins, J - 4th Request for Extension for Initial Brief of Appellant - 2022-001567.pdf](#)

Ms. Brown,

Please find attached for service the 4th 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