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Oct 05 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County

Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LILLIAN MAE BATES,

APPELLANT

APPELLATE CASE NO. 2023-000483

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

Counsel for Lillian Mae Bates respectfully requests a thirty (30) day extension from October 4, 2023, until November 6, 2023, 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. This is a third 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 today.

2. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Douglas S. Turner with the Court of Appeals on October 5, 2023. Counsel filed

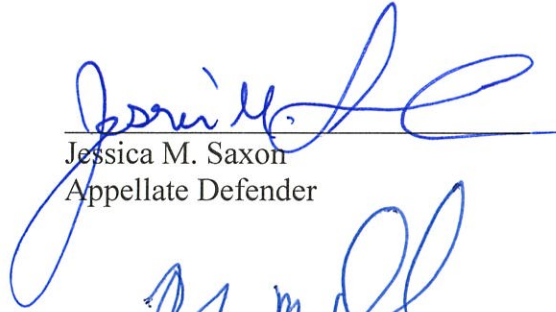
the Brief of Petitioner in the case of Holly Jo Thompson v. The State with the Court of Appeals on September 28, 2023. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State v. Rishard Lewis Geter with the Court of Appeals on September 22, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Scott Richard Rowan v. The State with the Supreme Court on September 18, 2023. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State v. Preston Hancock with the Court of Appeals on September 15, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Derrick Miller v. The State with the Supreme Court on September 6, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Gene D. Evans, Jr. v. The State with the Supreme Court on August 30, 2023.

3. This request is made in good faith, and not for purposes 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.

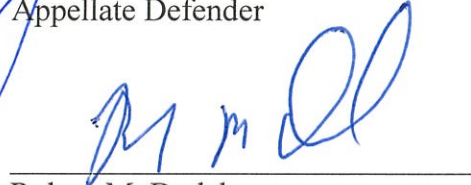
4. On October 3, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from September 6, 2023, until October 6, 2023. 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,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 5th day of October, 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 5th day of October, 2023.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [Mark Farthing](#); [Grace Sommer](#)
Cc: [Saxon, Jessica](#)
Subject: 2023-000483 The State v. Lillian Mae Bates - Third Motion for Extension
Date: Thursday, October 5, 2023 10:39:00 AM
Attachments: [2023-000483 The State v. Lillian Mae Bates - Third Motion for Extension.pdf](#)

Mr. Farthing,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for Lillian Mae Bates' 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