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Oct 24 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
General Sessions Court

The Honorable Robert J. Bonds, Circuit Court Judge

Appellate Case Number: 2023 - 00288

The State,Respondent

v.

Justin Granet,.....Appellant

**SECOND MOTION FOR AN EXTENSION OF TIME
TO FILE APPELLANT’S INITIAL BRIEF
AND DESIGNATION OF MATTER**

The Appellant, Justin Granet, by and through undersigned counsel, hereby moves this Court for a thirty (30) day extension of time in which to file Appellant’s Opening Brief and Joint Appendix. The brief and appendix are currently due on October 25, 2023. This is the second extension request for this matter.

Undersigned makes this request primarily because of his heavy caseload which will be discussed in more detail below. However, this request is also based upon missing trial exhibits which are pertinent to the issues undersigned intends to brief but were not provided to him along with the transcript. Undersigned was not trial counsel and was not privy to the issues raised during the four day trial.

Even though undersigned received the transcript on August 25, 2023, he did not receive the approximately 100 exhibits until September 5, 2023 and September 25, 2023, when his staff personally went to the clerk of court’s office and made copies themselves as neither the clerk nor

court reporter would provide copies of these items.

However, undersigned's review of the transcripts revealed that a preserved objection was made by trial counsel related to items discussed in the transcript as Court's Exhibit 9 and 10. In fact, these items, Court's exhibits numbered 9 and 10 were not even listed in the contents page for the transcript and have still not yet been provided to undersigned despite repeated efforts to locate them. In fact, after days of requesting these items, it is unclear who possesses these documents. The receipt of these items is necessary to argue the impact of the court's objected to ruling upon the Defendant's case.

As to the heavy workload, undersigned completed and filed a supplemental opening brief in a federal appeal pending in the US Court of Appeals for the Fourth Circuit on September 19, 2023. See *US v Ashford*, Docket Number 22-4391 - US Court of Appeals for the Fourth Circuit. Further, undersigned traveled to Richmond Virginia on September 20, 2023 for preparation and argument before the US Court of Appeals for the Fourth Circuit on September 22, 2023. See *US v Manning*, Docket Number 21-4471 - US Court of Appeals for the Fourth Circuit. The briefing schedule and oral argument schedule in both of these cases pre-dated the receipt of the transcript and briefing schedule in the case before this Court.

Undersigned also successfully defended a Navy Corpsman in a criminal jury trial held on October 5, 2023 in a case arising from an October 22, 2022 arrest. This is in addition to many other second appearances, motions, pleas, and jail visits occurring during the same time.

Finally as to the heavy caseload, undersigned is lead counsel in the trial of 21 felony sex crime indictments arising from the March 28, 2019 arrest of his client. This case is set first up for trial during the November 13, 2023 term of court in Beaufort County and the client in that case has been incarcerated without bond since his arrest. That client faces life without parole on

at least one count.

Undersigned is a solo practitioner with two staff members.

Undersigned counsel has spoken with opposing counsel who consents to this request.

Therefore, counsel respectfully requests that this Court grant the Appellant an additional thirty (30) days in which to file and serve the initial brief and designation of matter in this case.

Respectfully submitted,

/s/James A. Brown, Jr.
James A. Brown, Jr.
SC Bar No.: 12213
Counsel for Appellant

October 24, 2023
Beaufort, SC

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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
General Sessions Court

The Honorable Robert J. Bonds, Circuit Court Judge

Appellate Case Number: 2023-00288

The State,Respondent
v.
Justin Granet,.....Appellant

Certificate of Service

I certify that I have served a copy of this Motion for an Extension of Time on the State of South Carolina, by depositing a copy of this Motion in the United States Mail, postage prepaid, on October 24, 2023, addressed to its attorney of record, Senior Assistant Deputy Attorney General, Mark Farthing, at South Carolina Attorney General’s Office, Post Office Box 11549, Columbia, SC 29211 and emailing a copy to him at mfarthing@scag.gov.

/s/ James A. Brown, Jr.
James A. Brown, Jr.
SC Bar No.: 12213
Counsel for Appellant

October 24, 2023
Beaufort, SC

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October 24, 2023

VIA EMAIL: ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State of South Carolina v. Justin Granet
Motion for Extension of Time
Case No.: 2023-00288

Dear Ms. Kitchings:

Under cover of this letter, I have enclosed a Motion for Extension of Time and Proof of Service in the above-referenced case.

Thank you for your assistance in this matter. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

/s/James A. Brown, Jr.
James A. Brown, Jr.
Law Offices of Jim Brown, P.A.

Enclosures (noted)

cc: Mark Farthing, Office of the SC Attorney General's Office, via email