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Nov 29 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Carmen T. Mullen, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TERRIO JACQUARD THOMAS,

APPELLANT

APPELLATE CASE NO. 2023-000371

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

Counsel for Terrio Jacquard Thomas respectfully requests a **fourth and final thirty (30) day extension** from November 29, 2023 until December 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 Terrio Jacquard Thomas 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 her caseload, counsel hopes that no further extension requests will be required.

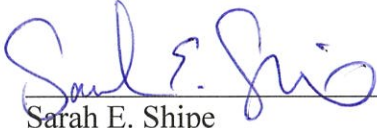
3. Counsel filed the Petition for Rehearing in the case of The State v. Levy Larkin Brown with the Court of Appeals on November 22, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Franklin Dover v. State with the Supreme Court on November 20, 2023. Counsel filed the Petition for Rehearing in the case of The State v. Michael Tirrell Means with the Court of Appeals on November 9, 2023. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Jerod Harris v. State with the Supreme Court on November 9, 2023. Counsel filed the Return to Petition for Writ of Certiorari in the case of William Oliver Aguilar Pineda v. State with the Supreme Court on November 3, 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.

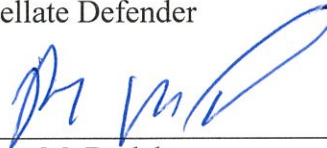
5. On October 31, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30.

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

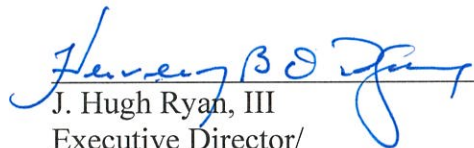
Respectfully submitted,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 29th day of November, 2023.

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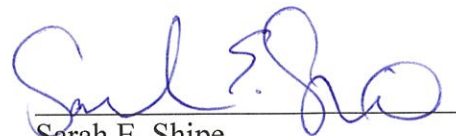
TERRIO JACQUARD THOMAS,

APPELLANT

APPELLATE CASE NO. 2023-000371

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 29th day of November, 2023.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: [Mark Farthing](#)
Cc: [Shipe, Sarah](#); ccollins@scag.gov
Subject: 2023-000371 The State v. Terrio Thomas
Date: Wednesday, November 29, 2023 12:16:00 PM
Attachments: [2023-000371 The State v. Terrio Thomas Extension 4.pdf](#)

Good Afternoon Mr. Farthing,

Please find attached the fourth motion for an extension of time to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This request will be filed with the Court of Appeals today, November 29, via email filing.

Thank you!

Sara McInnis

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
(803) 734-1330