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Nov 29 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

Honorable H. Steven DeBerry IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DRISCOLL RIGGINS, JR.,

APPELLANT

APPELLATE CASE NO. 2023-000868

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

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

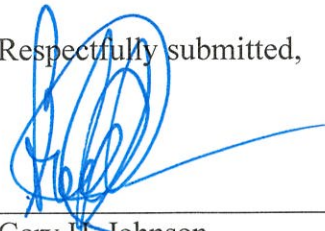
1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Martin Floyd v. The State with the Supreme Court on November 9, 2023. Counsel had an oral argument in the case of Carnie Norris v. The State before the Court of Appeals on November 7, 2023. Counsel filed the initial reply brief of appellant in the case of The State v. Nevelle

Eberhart with the Court of Appeals on October 30, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marc Palmer v. The State with the Supreme Court on October 20, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Damyon M. Cotton v. The State with the Supreme Court on October 18, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Tyler Ellaree Hopkins with the Court of Appeals on September 19, 2023. 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.

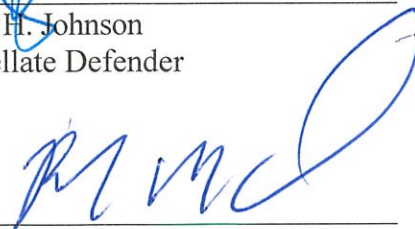
3. Opposing counsel, the Attorney General’s Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2023. That emailed general consent was dated October 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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

This 29th day of November, 2023.

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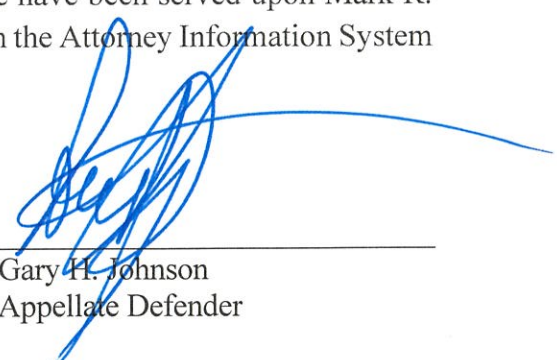
DRISCOLL RIGGINS, JR.,

APPELLANT

APPELLATE CASE NO. 2023-000868

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 file initial brief of appellant and designation of matter in the above-referenced case have been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 29th day of November, 2023.



Gary H. Johnson
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [Mark Farthing](#); [Grace Sommer](#)
Cc: [Johnson, Gary](#)
Subject: Riggins, D - 3rd Extension for Initial Brief of Appellant - 2023-000868
Date: Wednesday, November 29, 2023 4:01:00 PM
Attachments: [Riggins, D - 3rd Extension for Initial Brief of Appellant - 2023-000868.pdf](#)

Mr. Farthing,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for Driscoll Riggins, Jr.'s 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