

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County
Diane S. Goodstein, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DERRICK G. BOYD,

APPELLANT.

Appellate Case No.: 2023-000698

Petition to File the Initial Brief of Appellant and Designation of Matter Out of Time.

Counsel would respectfully request to file to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case out of time and have the time to file the Initial Brief and Designation of Matter Extended for 30-days. In support of this motion, Counsel would respectfully show the Court the following:

1. Counsel received the Transcript on October 31, 2023. Therefore, the Initial Brief and Designation of Matter would have initially been due on November 30, 2023.
2. During the time that Counsel received the transcript he was in the process of transitioning out of a firm. Counsel has accepted a new job and is currently attempting to wind-down his private cases.
3. On November 28, 2023, Counsel sent the Court a letter notifying the Court that the transcript had previously been delivered. This letter was sent just before Counsel was

scheduled to pick a jury in a Felony DUI death trial. Counsel thought he had put a note in his calendar to ask for an extension for the November 30, 2023 deadline; however, it appears that no notification was placed on his calendar. Therefore, Counsel did not submit an extension request on or before November 30, 2023.

4. This request is made in good faith, and not for purposes of delay.
5. Counsel has communicated with Respondent's Counsel who does not oppose this request.
6. Counsel is requesting to file the Initial Brief and Designation of Matter on or before January 2, 2024.

WHEREFORE, the undersigned counsel would respectfully request to file the Initial Brief of Appellant and Designation of Matter Out of Time on or before **January 2, 2024**.

December 6, 2023

s/ Tristan Shaffer
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SC Court of Appeals

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Certificate of Service

I certify that on the date below I served the Petition to File the Initial Brief of Appellant and Designation of Matter Out of Time on The State of South Carolina by e-mailing a copy to the Respondent at the address below.

December 6, 2023

s/ Tristan Shaffer
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