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Dec 08 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

Michael S. Holt, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

COREY TYLER BUSCH,

APPELLANT

APPELLATE CASE NO. 2023-000299

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

Counsel for Corey Tyler Busch respectfully requests a **fourth and final thirty (30) day extension** from December 8, 2023 until January 8, 2024, 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 Corey Tyler Busch 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 Initial Brief of Appellant and Designation of Matter in the case of The State v. Terrio J. Thomas with the Court of Appeals on December 4, 2023. 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.

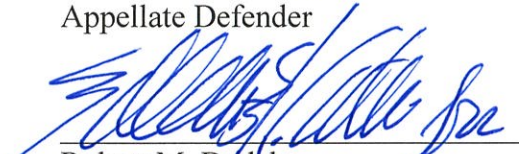
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

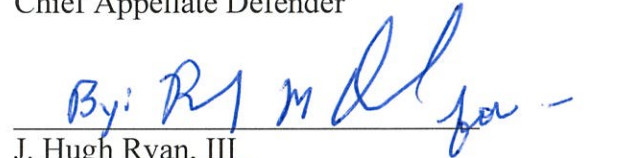
5. On December 4, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** from December 8, 2023 until January 8, 2024, 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/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 8th day of December, 2023.

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APPELLANT

APPELLATE CASE NO. 2023-000299

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 8th day of December, 2023.

Sarah E. Shipe for:
Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: [Mark Farthing](#)
Cc: [Shipe, Sarah](#); ccollins@scag.gov
Subject: 2023-000299 The State v. Corey Busch
Date: Friday, December 8, 2023 10:35:00 AM
Attachments: [2023-000299 The State v. Corey Busch Extension 4.pdf](#)

Good Morning Mr. Farthing,

Please find attached for service in the above-referenced case the fourth motion for an extension of time to file the Initial Brief of Appellant and Designation of Matter. This request will be filed with the Court of Appeals today, December 8, via email filing.

Thank you!

Sara McInnis

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