

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

---

Certiorari to York County

Honorable Walton J. McLeod, IV, Circuit Court Judge

---

DAVID JAMES LAMONT BRICE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001527

---

MOTION FOR AN EXTENSION OF TIME  
TO FILE THE PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX

---

Counsel for David James Lamont Brice respectfully requests an extension of thirty (30) days from January 3, 2024 until February 2, 2024 in which to serve and file the Petition for Writ of Certiorari and Appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The Petition for Writ of Certiorari and Appendix are due to be served and filed with the Court today.
2. Counsel for David James Lamont Brice respectfully submits that extraordinary

**RECEIVED**

**Jan 03 2024**

S.C. SUPREME COURT

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.

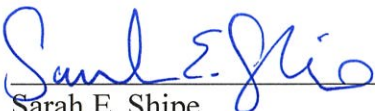
3. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Anthony Briggs v. State with the Supreme Court on December 18, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Keith Vincent Brown with the Court of Appeals on December 13, 2023. 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.

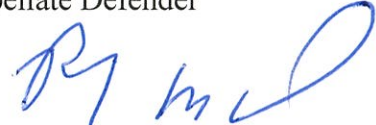
4. Counsel makes this request in good faith and not for purpose of delay.

5. On January 2, 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 January 31.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from January 3, 2024 until February 2, 2024, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
\_\_\_\_\_  
Sarah E. Shipe  
Appellate Defender

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

This 3rd day of January, 2024.