

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Horry County

H. Steven DeBerry IV, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

DRISCOLL RIGGINS, JR.

APPELLANT

APPELLATE CASE NO. 2023-000868

---

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

---

Counsel for Driscoll Riggins respectfully requests a **fourth and final thirty (30) day extension from December 29, 2023 until January 29, 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 Driscoll Riggins 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Initial Reply Brief of Appellant and Designation of Matter in the case of The State v. Candie M. Shearin with this Court on December 27, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jakavis Green with this Court on December 27, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Ronald Duyane Davis v. The State with the Supreme Court on December 27, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Victoria C. Threatt with this Court on December 20, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Nyasia Marie Grant with this Court on December 15, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Robert L. O'Shields v. The State with the Supreme Court on December 7, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Martin Floyd v. The State with the Supreme Court on November 9, 2023. Counsel appeared for Oral Argument in the case of Carnie Norris v. The State before this Court on November 7, 2023.

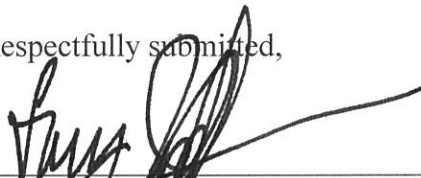
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On December 4, 2023, opposing counsel, the Office of the Attorney General, 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, 2023.

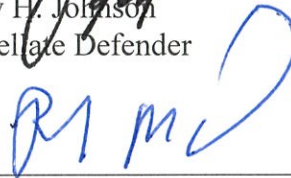
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from December 29, 2023 until January 29, 2024**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,



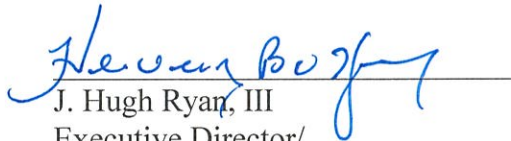
---

Gary H. Johnson  
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 December, 2023.

RECEIVED

Dec 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

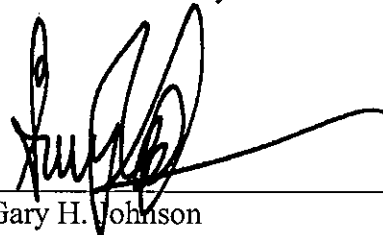
APPELLATE CASE NO. 2023-000868

---

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 December, 2023.



---

Gary H. Johnson  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Warren, Kaylynn](#)  
**To:** [Mark Farthing](#)  
**Cc:** [Johnson, Gary](#); [Caroline Collins](#)  
**Subject:** 2023-000868 The State v. Driscoll Riggins, Jr.  
**Date:** Friday, December 29, 2023 10:18:00 AM  
**Attachments:** [2023-000868 The State v. Driscoll Riggins, Jr. Fourth Motion for Extension and COS.pdf](#)

---

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension which will be filed today, December 29, 2023, with the Court of Appeals via email filing.

Respectfully,  
Kaylynn

**Kaylynn Warren**

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