

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HAMPTON AND BEAUFORT COUNTIES  
Court of General Sessions

Clifton B. Newman, Circuit Court Judge

Appellate Case No: 2023-001493

The State of South Carolina,

Respondent,

v.

Cory Howerton Fleming,

Appellant.

**MOTION FOR EXTENSION TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER**

Undersigned counsel respectfully requests a one-month extension to file the initial brief and designation of matter in this case. It is currently due January 8, 2024. Counsel has an oral argument in the Fourth Circuit Court of Appeals on January 26, 2024. *US v. Ronald Hargrave*, 22-4711. Additionally, she has a memorandum in support of a habeas petition due on December 21, 2023 for a capital case in the Southern District of Mississippi. *Eric Moffett v. Epps, et al.*, 3:14-cv-00639-HTW. She also had a petition for a writ of mandamus that was filed under seal in the Fourth Circuit on December 27, 2023. Counsel respectfully requests a due date of Monday, February 8, 2024 for these matters to be filed. Counsel does not anticipate there will be a need for any additional extension requests as her caseload appears much more manageable this month.

Respectfully submitted,

/s/ Elizabeth Franklin-Best  
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January 3, 2024.

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SC Court of Appeals

**CERTIFICATE OF SERVICE**

Counsel hereby certifies she has served a copy of this motion on Mark Farthing of the South Carolina Attorney General's Office by emailing it to him at [mfarthing@scag.gov](mailto:mfarthing@scag.gov) on this date, December January 3, 2024.

/s/ Elizabeth Franklin-Best