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Jan 03 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Colleton County

Benjamin H. Culbertson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBERT ANTHONY CARTER,

APPELLANT

APPELLATE CASE NO. 2023-000797

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

Counsel for Robert Anthony Carter respectfully requests a thirty (30) day extension from January 3, 2024 until February 2, 2024, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.
2. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of

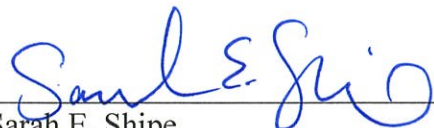
Anthony Briggs v. State with the Supreme Court on December 18, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Keith Vincent Brown with the Court of Appeals on December 13, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter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

3. This request is made in good faith, and not for purposes 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.

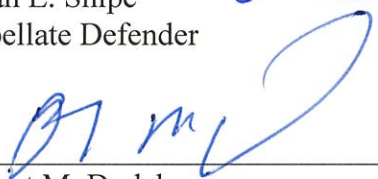
4. On January 2, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 3, 2024 until February 2, 2024. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter 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.

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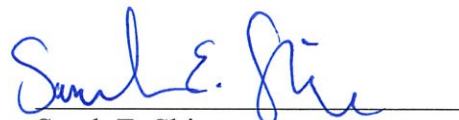
ROBERT ANTHONY CARTER,

APPELLANT

APPELLATE CASE NO. 2023-000797

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 3rd day of January, 2024.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: [Mark Farthing](#)
Cc: ccollins@scag.gov; [Shipe, Sarah](#)
Subject: 2023-000797 The State v. Robert Anthony Carter Extension 3
Date: Wednesday, January 3, 2024 2:10:00 PM
Attachments: [2023-000797 The State v. Robert Anthony Carter Extension 3.pdf](#)

Good Afternoon,

Please find attached for service in the above case the third request for extension, which will be filed with the Court of Appeals today via email filing.

Thank you!

Sara McInnis

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