

**RECEIVED**

**Jan 12 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Spartanburg County  
R. Scott Sprouse, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

SAMUEL T. RISER,

APPELLANT

APPELLATE CASE NO. 2023-000743

---

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

---

Counsel for Samuel T. Riser respectfully requests a thirty (30) day extension from January 12, 2024 until February 12, 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 to the Court of Appeals in the case of The State v. Michael T. Means with the Supreme Court on January 12, 2024. Counsel

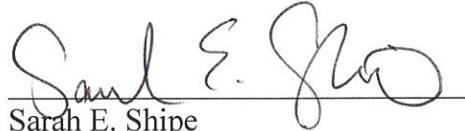
filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Levy L. Brown with the Supreme Court on January 11, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Corey T. Busch with the Court of Appeals on January 8, 2024. 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.

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.

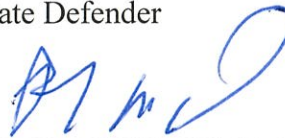
4. On January 2, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 12, 2024 until February 12, 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,

A handwritten signature in black ink, appearing to read "Sarah E. Shipe", written over a horizontal line.

Sarah E. Shipe  
Appellate Defender

A handwritten signature in blue ink, appearing to read "R. M. Dudek", written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

This 12th day of January, 2024.

RECEIVED

Jan 12 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Spartanburg County

Honorable R. Scott Sprouse, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

SAMUEL T. RISER,

APPELLANT

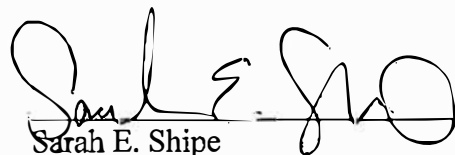
APPELLATE CASE NO. 2023-000743

---

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 12th day of January, 2024.



Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Mcinnis, Sara](#)  
**To:** [Mark Farthing](#)  
**Cc:** [ccollins@scag.gov](mailto:ccollins@scag.gov); [Shipe, Sarah](#)  
**Subject:** 2023-000743 The State v. Samuel T. Riser  
**Date:** Friday, January 12, 2024 2:01:00 PM  
**Attachments:** [2023-000743 The State v. Samuel T. Riser Extension 3.pdf](#)

---

Good Afternoon Mr. Farthing,

Please find attached for service in the above case the third 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, January 12, 2024, via email filing.

Thank you!

**Sara McInnis**

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