

**RECEIVED**

**Jan 16 2024**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Williamsburg County

George M. McFaddin, Circuit Court Judge

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LEVERN MCCREA,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2020-001426

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**PETITION REQUESTING EXTENSION OF TIME TO FILE THE BRIEF OF  
PETITIONER AND APPENDIX OUT OF TIME**

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Pursuant to Rule 240, SCACR, counsel for Levern McCrea respectfully petitions for this Court to grant the extension of time request to file the Brief of Petitioner and Appendix in the above titled appeal out of time. In support of this request, counsel would present the following information.

(1) The Petition for Writ of Certiorari was filed in this case on August 18, 2021. The Return was filed on December 23, 2021.


(2) On December 7, 2023, this Court granted the Petition on Question I raised therein. The Brief of Petitioner was due to have been filed with this Court on January 8, 2024.

(3) Unfortunately, due to the fact that this case was reassigned to counsel, the receipt of this Order was inadvertently overlooked and compliance with the same was an oversight on counsel's behalf. Therefore, counsel would request an extension of two weeks in which to serve and file copies of the Brief of Petitioner and Appendix in this appeal with this Court.

(3) Counsel makes this request in good faith and not for purposes of delay.

(4) Opposing counsel, Mark R. Farthing, consents to this request.

WHEREFORE, the undersigned counsel respectfully requests that this Court grant the petition requesting an extension of time to file the Brief of Petitioner and Appendix in the above tilted appeal out of time.



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Wanda H Carter  
Deputy Chief Attorney

ATTORNEY FOR APPELLANT

January 16, 2024

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LEVERN MCCREA,

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V.

THE STATE,

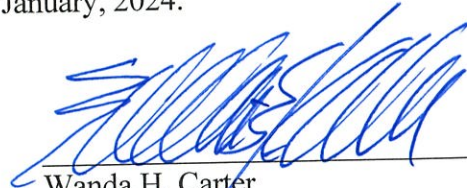
RESPONDENT

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Petition Requesting Extension of Time to File the Brief of Petitioner and Appendix Out of Time in the above referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 16<sup>th</sup> day of January, 2024.



Wanda H. Carter  
Deputy Chief Attorney

ATTORNEY FOR APPELLANT

**From:** [Leverett, Scott](#)  
**To:** [SC - FARTHING MARK](#)  
**Cc:** [SC - COLLINS CAROLINE](#); [Carter, Wanda](#)  
**Subject:** Lavern McCrea - Petition to file extension out of time - Appellate Case No. 2020-001426  
**Date:** Tuesday, January 16, 2024 4:47:00 PM  
**Attachments:** [Lavern McCrea - Petition to file extension out of time - Appellate Case No. 2020-001426.pdf](#)

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Dear Mr. Farthing,

Attached please find a copy of the petition to file a first extension out of time in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett  
Admin. Asst. for Wanda Carter  
Appellate Defense