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Feb 02 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBERT LEE BELCHER III,

APPELLANT

APPELLATE CASE NO. 2023-001378

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

Counsel for Robert Lee Belcher respectfully requests a thirty (30) day extension 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. On January 24, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Clayton Thomas Jones with the Court of Appeals. On January 18, 2024, counsel filed an amended application for post-conviction relief in Artrell Hickson v. The State

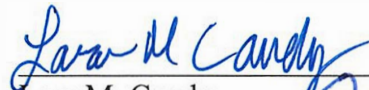
with the Aiken County Clerk of Court. On January 17, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Reno Blakely with the Court of Appeals. On January 9, 2024, counsel had an oral argument in The State v. Stacardo Grissett before the Supreme Court. On January 8, 2024, counsel filed the petition for writ of certiorari and accompanying appendix in William Funderburke v. The State with the Supreme Court. On December 21, 2023, counsel filed the petition for writ of certiorari to the Court of Appeals in James Carrier v. The State with the Supreme Court.

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.

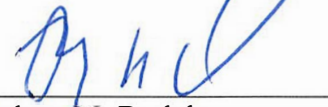
4. On January 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 29, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension. 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,



Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 2nd day of February, 2024.

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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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 2nd day of February, 2024.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: mbrown@scag.gov
Cc: abennett@scag.gov; [Caudy, Lara](#)
Subject: 2023-001378 The State v. Robert L. Belcher Extension 3
Date: Friday, February 2, 2024 9:18:00 AM
Attachments: [2023-001378 The State v. Robert L. Belcher Extension 3.pdf](#)

Good Morning Ms. Brown,

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, February 2, 2024, via email filing.

Thank you!

Sara McInnis

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