

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

G.D. Morgan, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RANDY DEAN GRAINGER,

APPELLANT

APPELLATE CASE NO. 2023-000598

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

Counsel for Randy Dean Grainger respectfully requests a **fourth and final thirty (30) day extension until March 4, 2024**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.
2. Counsel for Randy Dean Grainger respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.


3. 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.

4. Counsel makes this request in good faith and not for purpose 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.

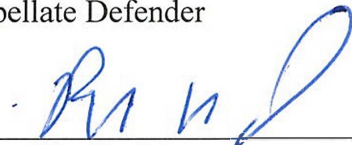
5. On January 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 29, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until February 2, 2024**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

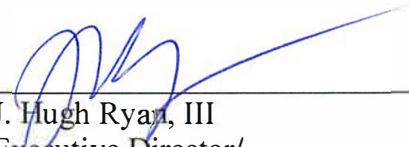
Respectfully submitted,



Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 2nd day of February, 2024.

RECEIVED

Feb 02 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Honorable G.D. Morgan, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RANDY DEAN GRAINGER,

APPELLANT

APPELLATE CASE NO. 2023-000598

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: 2023-000598 The State v. Randy D. Grainger Extension 4
Date: Friday, February 2, 2024 9:23:00 AM
Attachments: [2023-000598 The State v. Randy D. Grainger Extension 4.pdf](#)

Good Morning Ms. Brown,

Please find attached for service in the above case the fourth 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