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Feb 12 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Pickens County

Honorable Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RODNEY DAVID RIGGINS,

APPELLANT

APPELLATE CASE NO. 2023-000892

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

Counsel for Rodney David Riggins respectfully requests a thirty (30) day extension from February 12, 2024, until March 11, 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 appeared before the Court of Appeals for Oral Argument in the case of Devatee Tymar Clinton v. The State on February 6, 2024. Counsel filed the Petition for Writ of


the Court of Appeals for Oral Argument in the case of Devatee Tymar Clinton v. The State on February 6, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Demetrius A. Goodwin v. The State with the Supreme Court on January 16, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jeremiah Johnson v. The State with the Supreme Court on January 8, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Celia Windham with the Court of Appeals on January 5, 2024. Counsel filed the Return to Petition for Writ of Certiorari in the case of Mitchell Rivers v. The State with the Supreme Court on January 2, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Lillian Mae Bates with the Court of Appeals on December 11, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Anthony M. Wise v. The State with the Supreme Court on December 6, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Michael Kelley v. The State with the Supreme Court on November 27, 2023. Counsel had an oral argument in the case of George N. Moses v. The State before the Court of Appeals on November 11, 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.

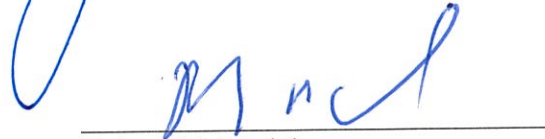
4. On January 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 29, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from February 12, 2024, until March 11, 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,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 12th day of February, 2024.

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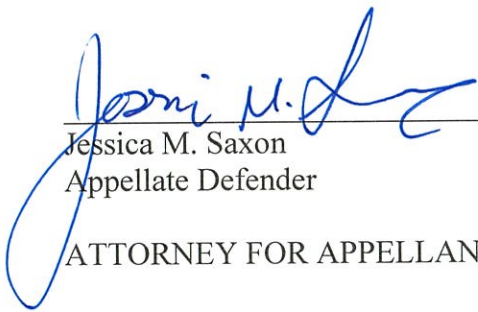
RODNEY DAVID RIGGINS,

APPELLANT

APPELLATE CASE NO. 2023-000892

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 February, 2024.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [Mark Farthing](#)
Cc: [Saxon, Jessica](#); [Caroline Collins](#); [Stock, Chris](#)
Subject: 2023-000892 The State v. Rodney David Riggins
Date: Monday, February 12, 2024 9:03:00 AM
Attachments: [2023-000892 The State v. Rodney David Riggins Third Motion for Extension and COS.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Third Motion for Extension which will be filed today, February 12, 2024, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330