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Feb 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 fourth and final thirty (30) day extension from February 12, 2024, until March 13, 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 Samuel T. Riser 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. Counsel filed the Anders Brief of Appellant, Designation of Matter, and Record on Appeal in the case of The State v. Robert A. Carter with the Court of Appeals on February 9, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Christopher A. Comer with the Court of Appeals on February 1, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. TyChristian Ladson with the Court of Appeals on January 31, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of David James Lamont Brice v. State with the Supreme Court on January 25, 2024. 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.

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.

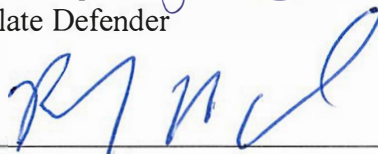
5. On January 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 29, 2024.

WHEREFORE, the undersigned counsel would respectfully request a fourth and final thirty (30) day extension from February 12, 2024, until March 13, 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.

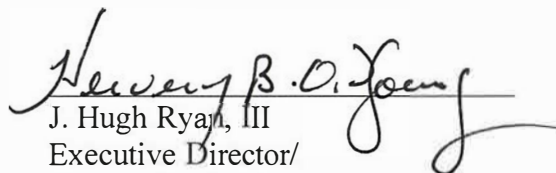
Respectfully submitted,



Sarah E. Shipe
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 12th day of February, 2024.

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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 February, 2024.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: [Mark Farthing](#)
Cc: [Shipe, Sarah](#); ccollins@scag.gov
Subject: 2023-000743 The State v. Samuel T. Riser Extension 4
Date: Monday, February 12, 2024 10:29:00 AM
Attachments: [2023-000743 The State v. Samuel T. Riser Extension 4.pdf](#)

Good Morning Mr. Farthing,

Please find attached for service in the above-referenced 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 12, 2024, via email filing.

Thank you!

Sara McInnis

Administrative Assistant

South Carolina Commission on Indigent Defense

Appellate Division

(803) 734-1330