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Mar 04 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 **fourth and final thirty (30) day extension until April 3, 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 Robert Lee Belcher 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 March 1, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Randy Dean Grainger with the Court of Appeals. On February 20, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. JeJauncey Harrington with the Court of Appeals. On February 2, 2024, counsel, along with co-counsel, filed a reply in State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court. 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.

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.

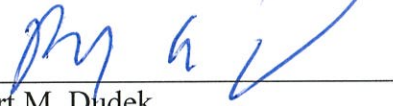
5. On February 28, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until April 3, 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 4th day of March, 2024.

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APPELLATE CASE NO. 2023-001378

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 4th day of March, 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 4
Date: Monday, March 4, 2024 9:36:00 AM
Attachments: [2023-001378 The State v. Robert L. Belcher Extension 4.pdf](#)

Good Morning Ms. Brown,

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 motion will be filed with the Court of Appeals today, March 4, 2024, via email filing.

Thank you!

Sara McInnis

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