

RECEIVED

May 22 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Walton J. McLeod IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MORGAN DAYLE CARR,

APPELLANT

APPELLATE CASE NO. 2023-000733

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

Counsel for Morgan Dayle Carr respectfully requests a **fourth and final thirty (30) day extension from May 22, 2024 until June 21, 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 Morgan Dayle Carr 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.

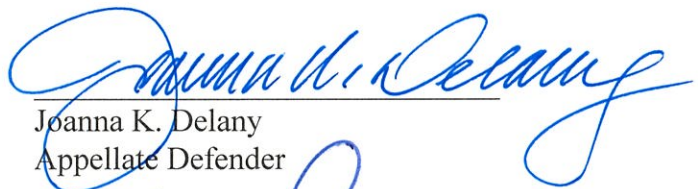
3. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Antonio Long with this Court on May 17, 2024. Counsel filed the Return to Petition for Writ of Certiorari in the case of Storm R. B. McCarthy v. The State with the Supreme Court on May 14, 2024. Counsel filed the Memorandum Addressing S.C. Code § 23-3-436 in the case of In the Interest of Khalid J., A Juvenile Under the Age of Seventeen with this Court on May 9, 2024. Counsel appeared for Oral Argument in the case of Michael Christian Barclay v. The State before this Court on May 8, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Genari McNeil with this Court on May 2, 2024. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Manly Maurice Thompson with this Court on April 24, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and the Appendix in the case of Newitt R. Walker v. The State with the Supreme Court on April 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of State v. Braylon L. Morris with this Court on April 22, 2024. Counsel appeared for Oral Argument in the case of In the Matter of Thomas Griffin before the Supreme Court on April 16, 2024.

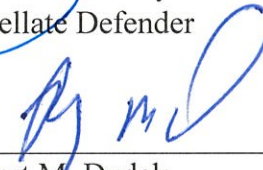
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

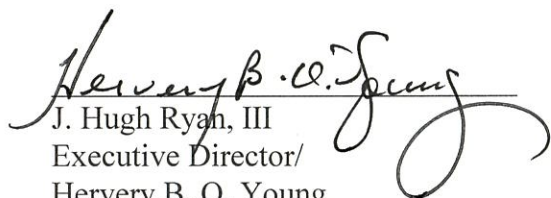
5. On May 1, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from May 22, 2024 until June 21, 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,


Joanna K. Delany
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 22nd day of May, 2024.

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APPELLATE CASE NO. 2023-000733

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 22nd day of May, 2024.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [SC - BROWN MELODY](#)
Cc: [Delany, Joanna](#); [Angela Brown](#)
Subject: 2023-000733 The State v. Morgan Dayle Carr
Date: Wednesday, May 22, 2024 8:27:00 AM
Attachments: [2023-000733 The State v. Morgan Dayle Carr Fourth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension which will be filed today, May 22, 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