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Jul 03 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
Honorable R. Scott Sprouse, Circuit Court Judge
Appellate Case No. 2023-000743

THE STATE,

Respondent,

vs.

SAMUEL TERRELL RISER,

Appellant.

**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on July 3, 2024.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **third** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Last week, the undersigned counsel filed a Petition for Writ of Certiorari and Appendix in the Supreme Court in State v. Mark

Anthony Hailey, Jr. and a Brief of Respondent in the Court of Appeals in Levern McCrea v. State of South Carolina. Additionally, in the last few weeks, the undersigned counsel has filed an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in State v. Celia Windham, State v. Lillian Mae Bates, and State v. Randy Lee Flower, and filed a Final Brief of Appellant in the Court of Appeals in State v. Juan Manuel Ramirez Sandoval.

III.

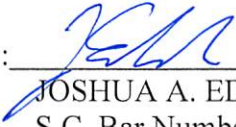
The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload, other significant challenges that have resulted from staffing issues that continue to be experienced by the undersigned counsel's office, and other unexpected issues that arose requiring the undersigned counsel's attention. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

JOSHUA A. EDWARDS
Assistant Attorney General

By: 
JOSHUA A. EDWARDS
S.C. Bar Number 101188

I have reviewed and approved this extension request.

By: 
Mark R. Farthing
Senior Assistant Deputy Attorney General

July 3, 2024

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PROOF OF SERVICE

I, Caroline Collins, certify I have served the within Motion for the Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

Sarah Elizabeth Shipe, Esquire
S.C. Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201

I further certify all parties required by Rule to be served have been served.
This 3rd day of July, 2024.



CAROLINE COLLINS
Administrative Support Manager
Office of the Attorney General