

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
Honorable George M. McFaddin, Jr., Circuit Court Judge
Appellate Case No. 2023-000820

THE STATE,

Respondent,

vs.

RICKY LEROY SINGER, JR.,

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 August 23, 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. On today’s date, the undersigned counsel intends to file an Initial Brief of Respondent and Designation of Matter in the Court of

Appeals in State v. Corey Tyler Busch. Additionally, earlier this week, the undersigned counsel filed an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in State v. Scotty Joe Fowler and filed a supplemental memorandum in the Court of Appeals in In the Interest of Khalid J., a Juvenile Under the Age of Seventeen. Furthermore, in the past few weeks, the undersigned counsel has filed a return to a pro se request for relief in the South Carolina Supreme Court's original jurisdiction at the request of the Supreme Court in Darrell L. Goss v. State; has filed a memorandum regarding appealability in the Court of Appeals in State v. Joshua Kenneth Brookins; has filed Initial Brief of Respondent and Designation of Matter in the Court of Appeals in State v. Jakavis Green; has filed a Final Brief of Respondent in the Court of Appeals in State v. Terrio Jacquard Thomas; and has filed a Final Brief of Respondent, Amended Designation of Matter, and Supplemental Record on Appeal in the Court of the Appeals in State v. Joquell Wayne Myers. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office.

III.

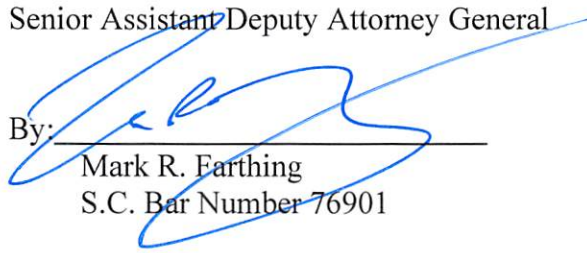
The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. The Brief in the above-referenced case involves an important evidentiary issue on appeal. The undersigned counsel is currently working on the Brief in this case and intends to 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 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.

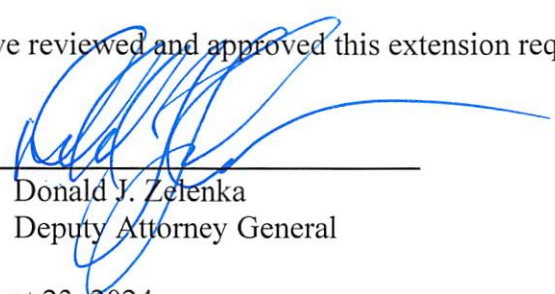
Respectfully submitted,

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Deputy Attorney General

By: 
Mark R. Farthing
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By: 
Donald J. Zelenka
Deputy Attorney General

August 23, 2024

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Aug 23 2024

SC Court of Appeals

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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 addresses listed in AIS for the following individuals:

Gary H. Johnson, II, 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 23rd day of August, 2024.



CAROLINE COLLINS
Administrative Support Manager
Office of the Attorney General