

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

PHILLIP RONALD MILLER,

APPELLANT.

APPELLATE CASE NO. 2024-000320

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

Counsel for appellant respectfully requests a thirty (30) day extension, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.

2. Counsel filed the Anders brief of appellant and record on appeal in the case of The State v. Terry Washington with the Court of appeals on September 16, 2024. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Devartee Clinton v. The

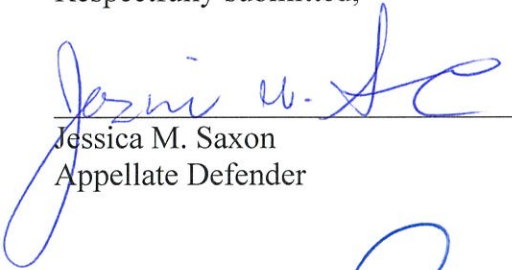
State with the Supreme Court on September 3, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Tony Williams v. The State with the Supreme Court on September 3, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. James Major with the Court of Appeals on August 28, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Kyle Mouzon with the Court of Appeals on August 21, 2024. Counsel filed the Anders brief of appellant pursuant to White v. State in the case of The State v. Edward Kirk with the Supreme Court on August 12, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Edward Kirk v. The State with the Supreme Court on August 12, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Demond Derrick Burgess v. The State with the Supreme Court on August 12, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Joyce Stover with the Court of Appeals on August 12, 2023. Counsel filed the Reply Brief of Appellant in the case of The State v. Johnny Haggins with the Court of Appeals on August 9, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Samuel Campbell v. The State with the Supreme Court on July 19, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Kendell A. Gamble v. The State with the Supreme Court on July 19, 2024.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

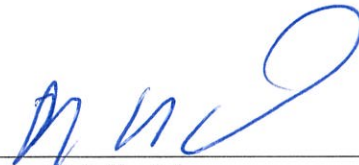
4. On August 30, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 20th day of September, 2024.

RECEIVED

Sep 20 2024

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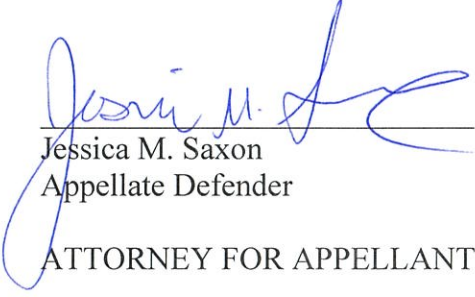
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APPELLANT.

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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 R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 20th day of September, 2024.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Friday, September 20, 2024 10:44 AM
To: SC - FARTHING MARK
Cc: SC - COLLINS CAROLINE; Saxon, Jessica
Subject: 2024-000320 - Miller, Phillip - Extension 3
Attachments: 2024-000320 - Miller, Phillip - Extension 3.pdf

Dear Mr. Farthing,

Attached please find a copy of the third extension in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Jessica Saxon
Appellate Defense