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Oct 10 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Saluda County

Honorable Kristi F. Curtis, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

AKEEM JERMILE HICKMAN,

APPELLANT.

APPELLATE CASE NO. 2023-001917

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 **fifth and final twenty-one (21) day extension from October 10, 2024, until October 31, 2024, to secure and file a drop affidavit from appellant in lieu of 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 fifth 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 appellant respectfully submits that extraordinary circumstances exist

which warrant the granting of an additional extension of time. **After numerous conversations between Appellant and Counsel, the most recent having been held on September 24, 2024, Appellant has decided to drop his direct appeal. On September 25, 2024, our office sent Appellant a letter that included the drop affidavit for him to review, sign, and have notarized. We have also supplied him with a pre-paid return envelope to ensure the affidavit is timely returned. Although Counsel does not believe it will take an exceedingly long time for this process to be completed, Counsel makes the request for a twenty-one-day extension to ensure there is adequate time for the affidavit to travel through the mail to Appellant and back to this office. It is Counsel's intention to file the signed affidavit with the Court immediately upon receipt.**


3. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Paul Lamberth with the Court of Appeals today, October 10, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Willie Morrison v. The State with the Court of Appeals on October 7, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Paul Lamberth with the Court of Appeals on October 7, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. James Gregory with the Court of Appeals on October 7, 2024. 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.

4. On September 25, 2024, opposing counsel, Mark Farthing, graciously consented to this extension request by email.

WHEREFORE, the undersigned counsel would respectfully request a **fifth and final thirty (21) day extension from October 10, 2024, until October 31, 2024, to secure and file a drop affidavit from appellant in lieu of the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.**


Respectfully submitted,



Jessica M. Saxon
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 10th day of October, 2024.

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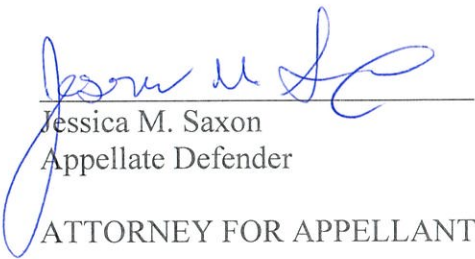
AKEEM JERMILE HICKMAN,

APPELLANT.

APPELLATE CASE NO. 2023-001917

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 10th day of October, 2024.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Thursday, October 10, 2024 4:45 PM
To: SC - FARTHING MARK
Cc: SC - COLLINS CAROLINE; Saxon, Jessica
Subject: 2023-001917 - State v. Akeem J. Hickman - Extension 5
Attachments: 2023-001917 - State v. Akeem J. Hickman - Extension 5.pdf

Dear Mr. Farthing,

Attached please find a copy of the fifth 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