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Oct 16 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Berkeley County
Honorable Deadra L. Jefferson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES E. RILES,

APPELLANT

APPELLATE CASE NO. 2024-000650

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

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

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 initial brief of appellant and designation of matter in the case of The State v. Francisco Maldonado-Molina 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. Larry King with the Court of Appeals on September 30, 2024. Counsel filed the petition for rehearing in the case of Francisco R. Rodriguez v. The State with the Court of Appeals on September 19, 2024.

Counsel had an oral argument in the case of The State v. Terrell Denard Knightner before the Supreme Court in Charleston, SC on September 11, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Micah Pressley with the Court of Appeals on September 11, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of J'Quan Marquel Scott v. The State with the Supreme Court on August 28, 2024. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Wendy Michelle Green with the Supreme Court on August 16, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Cortez Whitener with the Court of Appeals on July 30, 2024. Counsel filed the petition for rehearing in the case of The State v. Alexander Rhue, Jr. with the Court of Appeals on July 29, 2024.


3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2024. That emailed general consent was dated September 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Senior Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 16th day of October, 2024.

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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 of time to file initial brief of appellant and designation of matter 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 16th day of October, 2024.



Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: mfarthing@scag.gov; [SC - COLLINS CAROLINE](#)
Cc: [Hudgins, Kathrine](#)
Subject: 2024-000650 - James Riles - 3rd Extension for Brief and Designation
Date: Wednesday, October 16, 2024 10:18:00 AM
Attachments: [2024-000650 - James Riles - 3rd Extension for Brief and Designation.pdf](#)

Mr. Farthing,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for James E. Riles' appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

Chris Stock
Administrative Assistant
Commission on Indigent Defense
Appellate Division
(803) 734-1330