

RECEIVED

Oct 21 2024

SC Court of Appeals

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 **fourth and final thirty (30) day extension from October 21, 2024, until November 20, 2024**, in which to serve and file 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 fourth 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. Given the number of extensions

previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel attended the annual South Carolina Public Defender Conference in Myrtle Beach, South Carolina from October 14-16, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Billy Geisendorff v. The State with the Supreme Court on October 11, 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 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.

4. On September 29, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by

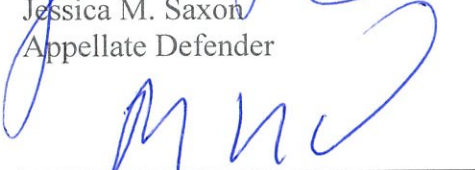
Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from October 21, 2024, until November 20, 2024**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

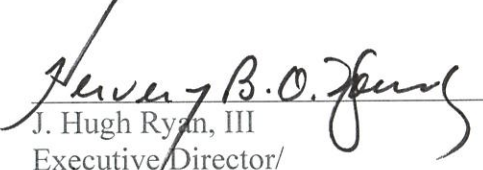
Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 21st day of October, 2024.

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APPELLATE CASE NO. 2024-000320

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 21st day of October, 2024.



Jessica M. Saxon
Appellate Defender
ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Monday, October 21, 2024 1:37 PM
To: SC - FARTHING MARK
Cc: SC - COLLINS CAROLINE; Saxon, Jessica
Subject: 2024-000320 - State v. Phillip Miller - Extension 4
Attachments: 2024-000320 - State v. Phillip Miller - Extension 4.pdf

Dear Mr. Farthing,

Attached please find a copy of the fourth 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