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Oct 25 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Darlington County

Eugene C. Griffith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DARIUS GRANT DICKEY,

APPELLANT

APPELLATE CASE NO. 2024-000145

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

Counsel for Darius Grant Dickey respectfully requests a thirty (30) day extension from October 25, 2024 until November 25, 2024 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 *Johnson* Petition for Writ of Certiorari and the Appendix in the case of Nathaniel Nesmith v. State with the Supreme Court on October 21, 2024. Counsel filed

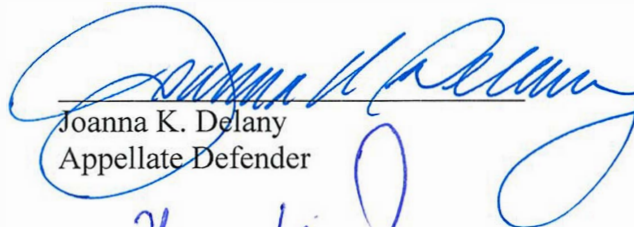
the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jason J. Otero with the Court of Appeals on October 11, 2024. Counsel filed the *Anders* Brief of Appellant and Record on Appeal in the case of The State v. Raekwon M. Ellerbe with the Court of Appeals on October 9, 2024. Counsel filed the Initial Brief of Appellant/Respondent and Designation of Matter in the case of The State v. Terrence O. Frazier with the Court of Appeals on October 1, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Marqual Devine Griffin v. The State with the Supreme Court on September 24, 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 the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

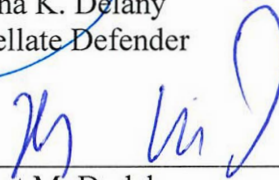
4. On September 29, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from October 25, 2024 until November 25, 2024. 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,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 25th day of October, 2024.

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THE STATE,

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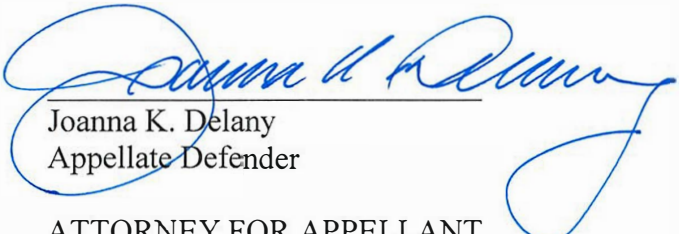
DARIUS GRANT DICKEY,

APPELLANT

APPELLATE CASE NO. 2024-000145

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 25th day of October, 2024.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: mbrown@scag.gov
Cc: abennett@scag.gov; [Delany, Joanna](#)
Subject: 2024-000145 The State v. Darius G. Dickey Extension 3
Date: Friday, October 25, 2024 3:49:00 PM
Attachments: [2024-000145 The State v. Darius G. Dickey Extension 3.pdf](#)

Good Afternoon Ms. Brown,

Please find attached for service in the above-referenced case the third motion for an extension of time to serve and file the initial brief of appellant and designation of matter. This motion will be filed with the Court of Appeals today, October 25, 2024, via email filing.

Thank you,

Sara McInnis

Administrative Assistant

South Carolina Commission on Indigent Defense

Appellate Division

(803) 734-1330