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Nov 15 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County

Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MICHAEL DAVID MORGAN,

APPELLANT

APPELLATE CASE NO. 2024-000152

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

Counsel for Michael David Morgan respectfully requests a thirty (30) day extension from November 15, 2024 until December 16, 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 Reply to Return to Petition for Writ of Certiorari in the case of

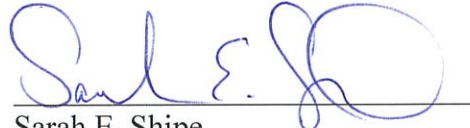
Ben Robert Stewart v. The State with the Supreme Court on November 14, 2024. Counsel filed the Petition for Rehearing in the case of Brian Foster v. The State with this Court on November 14, 2024. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of In the Matter of the Care and Treatment of James L. Williford with the Supreme Court on November 5, 2024. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Felicia Danielle Turnage with this Court on November 1, 2024. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Vincent Dwight with this Court on October 30, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Wayne Hankinson v. The State with the Supreme Court on October 28, 2024. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Kweisi Nicks with this Court on October 4, 2024. Counsel appeared for Oral Argument in the case of The State v. Bradley Corlew before this 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.

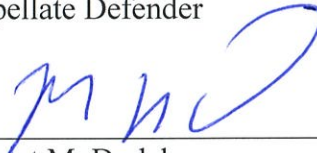
4. On October 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from November 15, 2024 until December 16, 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,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 15th day of November, 2024.

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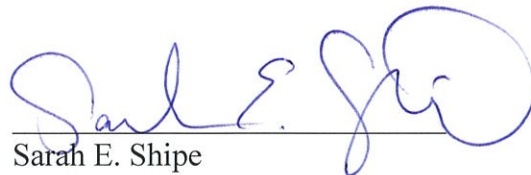
MICHAEL DAVID MORGAN,

APPELLANT

APPELLATE CASE NO. 2024-000152

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 Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 15th day of November, 2024.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Friday, November 15, 2024 10:31 AM
To: SC - FARTHING MARK
Cc: SC - COLLINS CAROLINE; Shipe, Sarah; Warren, Kaylynn
Subject: 2024-000152 - State v. Michael D. Morgan - Extension 3
Attachments: 2024-000152 - State v. Michael D. Morgan - Extension 3.pdf

Dear Mr. Farthing,

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

-Scott Leverett
For Kaylynn Warren
Admin. Asst. for Sarah Shipe
Appellate Defense