

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 **fourth and final thirty (30) day extension** 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 Darius Grant Dickey 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 filed the *Johnson* Petition for Writ of Certiorari and Appendix in the case of Courtney E. Brock v. State with the Supreme Court today, December 3, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kevin Lawrence Pearson v. State with the Supreme Court on November 21, 2024. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Wanda Jane Crumpton with the Supreme Court on November 18, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Benjamin L. Nation with the Court of Appeals on November 8, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kyle Wayne Way v. State with the Supreme Court on October 30, 2024. 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.

4. Counsel makes this request in good faith and not for purpose 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.

5. On November 27, 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 December 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** 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,



for: Joanna K. Delany
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 3rd day of December, 2024.

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SC Court of Appeals

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Honorable Eugene C. Griffith, Circuit Court Judge

THE STATE,

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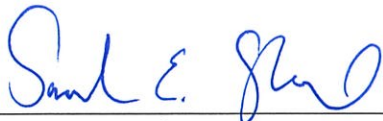
DARIUS GRANT DICKEY,

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 3rd day of December, 2024.


for: 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 4
Date: Tuesday, December 3, 2024 4:49:00 PM
Attachments: [2024-000145 The State v. Darius G. Dickey Extension 4.pdf](#)

Good Afternoon Ms. Brown,

Attached for filing in the above-referenced case is the fourth motion for extension, which will be filed with the Court of Appeals today, December 3, 2024, via email filing.

Thank you,

Sara McInnis

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
(803) 734-1330