

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chester County

Donald B. Hocker, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JAMES B. CURRY,

APPELLANT.

APPELLATE CASE NO. 2024-002075

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 thirty (30) day extension, 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 initial brief of appellant and designation of matter in the case of State v. Michael L. Faile with the Court of Appeals on April 23, 2025. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. David C. Mosley with the

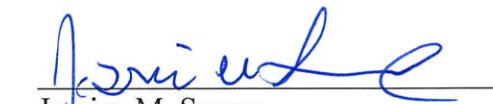
Court of Appeals on April 23, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Holly Jo Thompson v. The State with the Supreme Court on April 7, 2024. Counsel had an oral argument in the case of Mitchell Rivers v. State in the Supreme Court on April 2, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Calvin Ford with the Court of Appeals on March 20, 2025. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Bryant McKnight v. The State with the Supreme Court on March 7, 2025. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. Ryan Gist with the Court of Appeals on March 5, 2025.

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 her caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On April 30, 2025, 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 May 31, 2025. Counsel filed the petition for writ of certiorari and accompanying Appendix in the case of Matthew Pickens v. The State with the Court of Appeals on February 18, 2025. Counsel filed the petition for writ of certiorari and accompanying Appendix in the case of Daeshaun Forrest v. The State with the Supreme Court on February 7, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Rico Funderburk with the Court of Appeals on February 7, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 5th day of May, 2025.

RECEIVED

May 05 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chester County

Donald B. Hocker, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

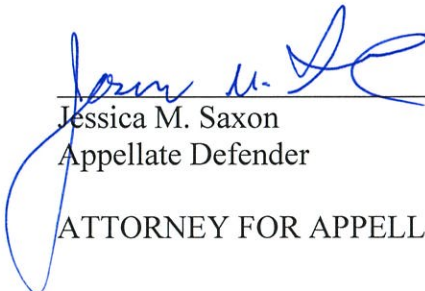
JAMES B. CURRY,

APPELLANT.

APPELLATE CASE NO. 2024-002075

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 5th day of May, 2025.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Monday, May 5, 2025 11:18 AM
To: Mark Farthing
Cc: Caroline Collins; Saxon, Jessica
Subject: 2024-002075 - State v. James B. Curry - Extension 3
Attachments: 2024-002075 - State v. James B. Curry - Extension 3.pdf

Dear Mr. Farthing,

Attached please find a copy of the third 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