

**MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT DUE  
TO PENDING AFFIDAVIT OF INDIGENCY**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of General Sessions

Milton G. Kimpson, Circuit Court Judge

**RECEIVED**

**JAN 20 2026**

**SC Court of Appeals**

Appellant Case No.: 2025-002525  
Case No. 2025-GS-08-00764  
Case No. 2025-GS-08-00765  
Case No. 2025-GS-08-00766  
Case No. 2025-GS-08-00767

State,

Respondent,

v.

Cory Lanard Gether,

Appellant.

Appellant timely filed a Notice of Appeal in this matter on December 19, 2025. Appellant intends to proceed as an indigent and to request preparation of the transcript at State Expense. At this time the required Affidavit of Indigency has not yet been submitted. Appellant's prior Attorney mailed Appellant the Affidavit of Indigency on January 5, 2026, and has not yet received the signed copy from the Appellant. I have attached a copy of the letter to the Appellant regarding the Affidavit of Indigency.

Until the Affidavit of Indigency is filed and ruled upon, Appellant is unable to finalize arrangements for the preparation and ordering of the transcript. Appellant is acting in good faith and is diligently working to submit the Affidavit of Indigency as promptly as possible. This request is not made for purposes of delay and granting the extension will not prejudice the State.

Appellant respectfully requests an extension of 60 days to allow sufficient time for submission and consideration of the Affidavit of Indigency and compliance with the transcript-ordering requirements.

January 16, 2026

s/Christopher D. Lizzi

Christopher D. Lizzi, Esq.

2170 Ashley Phosphate Rd., Ste. 402

North Charleston, South Carolina 29406

(843) 797-0222

(843)797-0202 (Fax)

Attorney for Appellant

Other Counsel of Record:

Adam Carr, Esq.

Assistant Solicitor

300-B California Avenue,

Moncks Corner, SC 29461

# LIZZI LAW FIRM, PC

## Attorney at Law

2170 Ashley Phosphate Road, Suite 402  
North Charleston, SC 29406  
Christopher D. Lizzi, Esquire

Telephone: (843)797-0222  
Facsimile: (843)797-0202  
E-Mail: [lizzilawfirm@aol.com](mailto:lizzilawfirm@aol.com)

January 5, 2026

**Via Mail Delivery:**

Cory Gethers 00228241 F3B-0157-A  
**Kirkland Correctional Institution**  
4344 Broad River Road,  
Columbia, SC 29210

**RE: State of South Carolina v. Cory Gethers**  
**Our File No.: 25-CR-2335**

**RECEIVED**

**JAN 20 2026**

**SC Court of Appeals**

Dear Mr. Gethers:

Enclosed please find the Affidavit of Indigency. We are required to file this Affidavit with the South Carolina Commission on Indigent Defense as a part of your Appeal.

Please fill out this affidavit and sign it in the presence of a notary and return it to our office in the enclosed self-addressed stamped envelope.

If you have any questions, please reach out to the office.

Yours very truly,



Christopher Lizzi

CDL/see  
Enclosure

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF \_\_\_\_\_ )

AFFIDAVIT OF INDIGENCY

Case Name \_\_\_\_\_

Criminal Case No. \_\_\_\_\_

Current Address: \_\_\_\_\_

Are you incarcerated?  Yes (If "Yes") Where? \_\_\_\_\_  
 No

What were you convicted of? \_\_\_\_\_

What was your sentence? \_\_\_\_\_

Are you appealing from  
 trial,  guilty plea  a post-conviction relief hearing?

In what county was this trial/hearing/guilty plea held? \_\_\_\_\_

Presiding Judge's name? \_\_\_\_\_

Date of trial/guilty plea or post-conviction hearing \_\_\_\_\_

Were you represented by  
 a court-appointed attorney  public defender or  retained counsel?

Name of attorney/public defender? \_\_\_\_\_

If retained, how much did you pay for attorney fees? \$ \_\_\_\_\_

If you still owe money to your attorney, how much? \$ \_\_\_\_\_

1. Are you presently employed? Yes \_\_\_\_\_ No \_\_\_\_\_

a. If "yes," state the amount of your salary or wages per month, and give the name and address of your employer: \_\_\_\_\_

b. If "no," state the name and address of last employment, date of termination of employment, and amount of your salary or wages per month. \_\_\_\_\_

2. List by name, age and relationship to you, any persons who are dependent upon you for support. Indicate beside each how much you contribute toward their support. \_\_\_\_\_

3. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment?  
Yes \_\_\_\_\_ No \_\_\_\_\_

b. Rent payments, interest or dividends?  
Yes \_\_\_\_\_ No \_\_\_\_\_

c. Pensions, annuities or life insurance payments?  
Yes \_\_\_\_\_ No \_\_\_\_\_

d. Gifts of inheritance?  
Yes \_\_\_\_\_ No \_\_\_\_\_

e. Any other sources?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Do you own cash, or do you have any money in a checking or savings account?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If the answer is "yes," state the total amount of the cash owned. \$ \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, notes or other valuable property (excluding ordinary household furnishing and clothing)? Yes \_\_\_\_\_ No \_\_\_\_\_

If the answer is "yes," describe the property and state the appropriate value of the items owned. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. What kind of motor vehicle do you own? \_\_\_\_\_

Is it paid for? Yes \_\_\_\_\_ No \_\_\_\_\_

If not, what are the monthly payments? \$ \_\_\_\_\_

I do solemnly swear that the account by me delivered into this Court does contain a true and full account of all my real and personal estate, debts, credits and effects whatsoever without exception, which I, or any person in trust for me, have or at the time of my possession had, or am, or was, in respect, entitled to, in possession, remainder or reversion and that I have not at any time since charges were made against me or before, directly or time since charges were made against me or before, directly or indirectly sold, leased, assigned or otherwise disposed of or made over, in trust for myself or otherwise, other than is mentioned herein.

I understand that the State shall file a claim against me in an amount equal to the cost for representation, but that such claim shall not constitute a lien against my property, unless, the claim is reduced to judgment by the Order of the Court after giving me at least thirty days' notice.

Under penalty of perjury, I certify that the information given by me on this affidavit is true and correct, and I understand that I will be subject to civil and/or criminal penalties if I knowingly furnish false information.

I am financially unable to employ counsel.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Defendant

I understand that I am entitled to at least thirty days' notice before a claim against me may be reduced to judgment, and I do hereby waive the right to such notice.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Defendant

SUBSCRIBED AND SWORN to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for South Carolina

My Commission Expires: \_\_\_\_\_

**PROOF OF SERVICE**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
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Milton G. Kimpson, Circuit Court Judge

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Case No. 2025-GS-08-00767

The State,

Respondent,

v.

Cory Lanard Gethers,

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Motion for Extension of Time to Order Transcript due to Affidavit of Pending Affidavit of Indigency on Adam Carr, Assistant Solicitor for the Respondent, addressed to 300-B California Avenue, Moncks Corner, SC 29461, the Honorable Milton G. Kimpson, addressed to P.O. Box 192. Columbia SC 29202, and the Berkeley County Clerk of Court-General Sessions, addressed to 300-B California Avenue, Moncks Corner, SC 29461, by depositing a copy of it in the United States Mail, postage prepaid, on January 16, 2026.

*s/Christopher D. Lizzi*

Christopher D. Lizzi

2170 Ashley Phosphate Rd., Ste. 402

North Charleston, South Carolina, 29406

(843) 797-0222

(843)797-0202 (Fax)

Attorney for Appellant

# LIZZI LAW FIRM, PC

## Attorney at Law

2170 Ashley Phosphate Road, Suite 402  
North Charleston, SC 29406  
Christopher D. Lizzi, Esquire

Telephone: (843)797-0222  
Facsimile: (843)797-0202  
E-Mail: [lizzilawfirm@aol.com](mailto:lizzilawfirm@aol.com)

January 16, 2026

**Via Mail Delivery & Email: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

Jenny A. Kitchings, Clerk of Court  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**  
JAN 20 2026  
SC Court of Appeals

RE: State v. Cory Lanard Gethers  
Appellant Case No.: 2025-002525  
Case No.: 2025-GS-08-00764, 2025-GS-08-00765, 2025-GS-08-00766,  
and 2025-GS-08-00767

Dear Ms. Kitchings,

Please find enclosed the Motion for Extension of Time to Order Transcript due to Pending Affidavit of Indigency and Proof of Delivery along with a check in the amount of \$25.00 for the filing fee, in regard to the above referenced matter.

Sincerely,  
s/Christopher D. Lizzi  
2170 Ashley Phosphate Road, Ste. 402  
North Charleston, SC 29406  
(843) 797.0222  
Attorney for Appellant

CDL/se

Enclosures

Cc: Adam Carr, Esquire  
Assistant Solicitor  
300-B California Avenue  
Moncks Corner, SC 29461  
Attorney for Respondent (*via Email and US Mail*)

The Honorable Milton G. Kimpson  
P.O. Box 192  
Columbia, SC 29202 (*via Email and US Mail*)

Berkley County Clerk of Court-General Sessions  
300-B California Avenue,  
Moncks Corner, SC 29461 *(via Email & US Mail)*

1720 SENATE ST



**FedEx** Package  
US Airbill

8187 8247 3168

0215

FedEx Copy

1 From  
 Sender's Name: LIZZI LAW FIRM  
 Phone: 649-797-0222  
 Company: LIZZI CHRISTOPHER D ATTY  
 Address: 3170 ASHLEY PHOSPHATE STE 402  
 City: CHARLESTON State: SC ZIP: 29402-8172

4 Express Package Service  
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 SC Court of Appeals  
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 For packages over 150 lbs., use the  
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2 Your Internal Billing Reference  
 3 To Recipient's Name: JERRY R. WINGS  
 Company: JERRY R. WINGS  
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 City: CHARLESTON State: SC ZIP: 29402-8172

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