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May 04 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

Bryantavious Murray,)) Plaintiff/Appellant,)) v.) Case No. [PENDING ASSIGNMENT])
Leroy Cartledge,) individually and in his official) capacity as SCDC Correctional) Officer,
)) Joseph Stevens,) individually and in his official) capacity as SCDC Correctional)
Officer,)) James Tompkins,) individually and in his official) capacity as SCDC
Correctional) Officer,)) Jeremy McCary,) individually and in his official) capacity as
SCDC Correctional) Officer,)) Ronald Cook,) individually and in his official) capacity as
SCDC Correctional) Officer,)) Geoffrey Rice,) individually and in his official) capacity as
SCDC Correctional) Officer,)) Frank Musier,) individually and in his official) capacity as
SCDC Correctional) Officer,)) RN Vera Couner,) individually and in her official) capacity
as Registered Nurse,)) John Does 1-25,)) Defendants/Appellees.)

MOTION FOR EXTENSION OF TIME

TO FILE INITIAL BRIEF AND MEMORANDUM

IN SUPPORT THEREOF

TO THE HONORABLE COURT OF APPEALS OF SOUTH CAROLINA:

COMES NOW the Appellant, Bryantavious Murray, appearing pro se, pursuant to Rule 263, South Carolina Appellate Court Rules (SCACR), and respectfully submits this Motion for Extension of Time to File Initial Brief, and in support thereof states as follows:

I. PARTIES

1. Plaintiff/Appellant is Bryantavious Murray, an inmate currently in the custody of the South Carolina Department of Corrections (SCDC).

2. Defendants/Appellees are Leroy Cartledge, Joseph Stevens, James Tompkins, Jeremy McCary, Ronald Cook, Geoffrey Rice, Frank Musier, RN Vera Couner, and John Does 1-25, all sued in their individual and official capacities.

II. JURISDICTION AND VENUE

3. This Court has jurisdiction over this matter pursuant to S.C. Code Ann. § 14-8-200 and Rule 203, SCACR, as this is an appeal from the Circuit Court of [County], South Carolina.
4. Venue is proper in this Court pursuant to Rule 201, SCACR.

III. STATEMENT OF FACTS

5. Appellant Bryantavious Murray is a pro se litigant currently incarcerated at [Institution], South Carolina Department of Corrections.
6. Appellant filed a Notice of Appeal in this matter on [Date], appealing from the Order of the Circuit Court entered [Date].
7. The Initial Brief of Appellant is currently due on [Date] pursuant to Rule 208, SCACR.
8. Appellant respectfully requests an extension of [60/90] days to file the Initial Brief for the following reasons:
 - a. ****Limited Access to Legal Resources****: As a pro se incarcerated litigant, Appellant has limited access to the law library and legal materials. SCDC library access is restricted to [number] hours per week, and Appellant must compete with other inmates for limited resources and computer terminals.
 - b. ****Need to Review and Organize Extensive Record****: The record on appeal is extensive, consisting of numerous pleadings, motions, orders, and exhibits from the underlying litigation. Appellant requires additional time to thoroughly review this record, identify errors, and prep

are a comprehensive brief.

c. ****Preparation of Appendix****: Rule 209, SCACR, requires the Appellant to prepare and file an Appendix containing portions of the record necessary for the Court's review. Compiling this Appendix requires additional time and resources.

d. ****Research and Citation of Authority****: This case presents complex constitutional claims, including First Amendment retaliation, Eighth Amendment deliberate indifference, and Fourteenth Amendment due process violations. Appellant requires additional time to research and properly cite relevant authority, including:

- Section 1983 standards for supervisory liability

- Eighth Amendment deliberate indifference standards under *Estelle v. Gamble*, 429 U.S. 97 (1976)

- First Amendment retaliation standards under *Garcetti v. Ceballos*, 547 U.S. 410 (2006)

- Qualified immunity analysis under *Harlow v. Fitzgerald*, 457 U.S. 800 (1982)

e. ****Mental Health and Medical Concerns****: Appellant continues to experience mental health issues as a result of the retaliation and deliberate indifference described in the underlying complaint, which impacts his ability to concentrate and prepare legal documents.

f. ****Good Cause****: The requested extension is sought in good faith and is not intended to delay these proceedings.

IV. GROUNDS FOR RELIEF

9. Rule 263, SCACR, governs motions in the Court of Appeals and provides that “[e]xcept as otherwise provided in these rules, the time for filing or serving any paper required or permitted to be filed or served may be extended by written order of the Chief Judge or an appellate panel upon written motion showing good cause.”
10. “Good cause” for an extension of time exists when the requesting party demonstrates legitimate reasons why additional time is necessary to prepare the required filing. Good cause may include limited access to legal resources, the complexity of the issues presented, and the need to adequately prepare appellate submissions.
11. The South Carolina Supreme Court has recognized that pro se litigants, particularly those who are incarcerated, may require additional time and latitude in meeting filing deadlines. See *Townes v. City of Greenville*, 373 S.C. 279, 644 S.E.2d 811 (2007).
12. In addition, Rule 1, SCACR, provides that the rules “shall be construed to secure the just, speedy, and inexpensive determination of every proceeding.” Granting this motion will serve the interests of justice by ensuring Appellant has adequate time to present his arguments fully.

V. RELIEF REQUESTED

13. WHEREFORE, Appellant respectfully requests that this Honorable Court:
 - a. Grant an extension of [60/90] days from [Current Due Date] to file Appellant's Initial Brief;
 - b. Extend the deadline for filing the Appendix by the same period;
 - c. Enter such other and further relief as this Court may deem just and proper.

VI. CONCLUSION

14. Appellant respectfully submits that good cause exists for the requested extension. The additional time requested will ensure that Appellant can adequately present his arguments to this Court without prejudice to any party.

Respectfully submitted this ____ day of _____, 20____.

Bryantavious Murray, Pro Se SCDC ID #: [Inmate Number] [Institution Name] [Street Address] [City, State ZIP]

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have this day served a copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF on counsel of record for all parties by [method of service - e.g., placing a copy in the outgoing mail to counsel at the addresses set forth below / certified mail, return receipt requested]:

TO: Attorney for Defendants/Appellees: [Name] [Firm Name] [Street Address] [City, State ZIP]

This ____ day of _____, 20____.

Bryantavious Murray