

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jun 25 2020

SC Court of Appeals

Appeal from Richland County
DeAndrea G. Benjamin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOE LEWIS BUSBY,

APPELLANT

APPELLATE CASE NO. 2019-001796

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

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. Wanda Crumpton in this Court on June 23, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Derrick Lamont Wade v. State in the Supreme Court on June 18, 2020. Counsel filed the return to the petition for rehearing in the case of The State v. Patrick O'Neil McGowan with this Court on June 15, 2020. Counsel filed the

initial brief of appellant and designation of matter in the case of The State v. Carlos Anthony Dennison with this Court on June 10, 2020. Counsel had oral argument before this Court in the case of Terrance L. Bland v. The State on June 3, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alqi Dhimo v. State in the Supreme Court on May 29, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Curnez Ellerbee with this Court on May 8, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Marcus A. Nelson v. State in the Supreme Court on April 27, 2020

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.

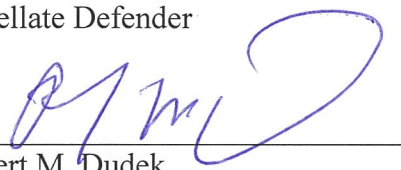
4. Opposing counsel, for the Attorney General's Office, has graciously consented to this extension request by way of the general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2020. That general consent was dated May 20, 2020.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension. 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,

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension of Time in the above-referenced case has been served upon William M. Blicht, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 25th day of June, 2020.

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT