

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jul 27 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

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Joe Lewis Busby respectfully requests a **fourth and final thirty (30) day extension, until August 26, 2020**, in which to 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. 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. The Court has granted counsel three previous extensions.

2. Counsel for Joe Lewis Busby 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 an Anders brief of appellant and Record on Appeal in the case of The State v. Thomas R. Marett with this Court on July 10, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rodney Galimore v. State in the Supreme Court on July 1, 2020. Counsel filed a petition for rehearing in the case of The State v Christian Anthony Himes with this Court on June 25, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wanda Jane Crumpton with this Court on June 24, 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.

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.

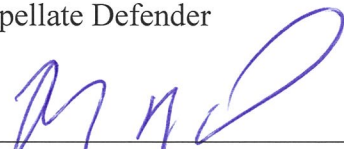
5. Opposing counsel, for the Attorney General's Office, has graciously consented to this extension request by way of the general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2020. That general consent was dated June 23, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until August 26, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel 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.

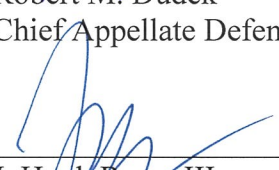
Respectfully submitted,

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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 27th day of July, 2020.

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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 27th day of July, 2020.

s/Joanna K. Delany

Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT