

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County

Honorable Jocelyn J. Newman, Circuit Court Judge

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**RECEIVED**

**Aug 17 2020**

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

RICKEY DEAN TATE,

APPELLANT

APPELLATE CASE NO. 2019-001856

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

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Counsel for Rickey Dean Tate respectfully requests a **fourth and final thirty (30) day extension, until September 16, 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 August 17, 2020. The Court has granted counsel three previous extensions.

2. Counsel for Rickey Dean Tate 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 the petition for writ of certiorari and accompanying appendix in the case of Tony Fulmer v. The State with the Supreme Court on August 5, 2020. Counsel filed a Return to Petition for Rehearing in the case of The State v. Jermaine Marquel Bell with this Court on August 3, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Aaron Alonzo Brown v. The State with the Supreme Court on July 27, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Quintin Mills with this Court on July 27, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Faasiu Toese v. The State with the Supreme Court on July 17, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gary Jerrell Means, Jr. v. The State with the Supreme Court on June 30, 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.

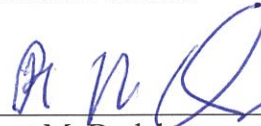
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2020. That extended, emailed general consent was dated July 30, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until September 16, 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.

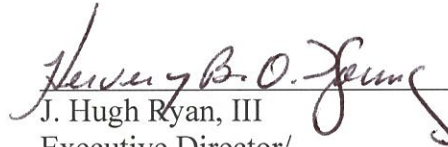
Respectfully submitted,



Sarah Shipe  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender



J. Hugh Ryan, III  
Executive Director/  
Hervery B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 17th day of August.

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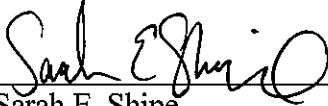
RICKEY DEAN TATE,

APPELLANT

APPELLATE CASE NO. 2019-001856  
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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 which to file the initial brief of appellant and designation of matter in the above-referenced case has been served upon William M. Blicht, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 17th day of August, 2020.

  
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Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT.