

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County  
Honorable Frank R. Addy, Circuit Court Judge

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**RECEIVED**

**Sep 04 2020**

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

TERRY R. MCCLURE,

APPELLANT

APPELLATE CASE NO. 2019-001865

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

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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 petition for writ of certiorari and accompanying appendix in the case of Shiquan Tyon Cwiklinski v. The State of South Carolina with the Supreme Court on August 25, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. Kenneth Wayne Carlisle with this Court on August 25, 2020.

Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. William Shane Fordham Brown with this Court on August 21, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Michael N. Frasier, Jr. with this Court on August 13, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Courtney Brock with this Court on August 11, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Steven Barnes with this Court on August 6, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Johnathan Green with this Court on August 5, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Earnest Allen v. The State of South Carolina with the Supreme Court on July 16, 2020. Counsel filed the brief of petitioner in the case of The State of South Carolina v. Timothy L. Frady with this Court on July 16, 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, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2020. That emailed general consent was dated August 26, 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/ Kathrine H. Hudgins  
Kathrine H. Hudgins  
Appellate Defender

A handwritten signature in blue ink, appearing to read 'R. M. Dudek', written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

This 4<sup>th</sup> day of September, 2020.

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CERTIFICATE OF SERVICE  
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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 have been served upon Melody J. Brown, Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 4<sup>th</sup> day of September, 2020.

s/ Kathrine H. Hudgins  
Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR APPELLANT