

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Nov 09 2020

SC Court of Appeals

Appeal from Greenville County
R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JERRY JEROME DAVIS,

APPELLANT

APPELLATE CASE NO. 2019-001810

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

Counsel for Jerry Jerome Davis respectfully requests a **fourth and final thirty (30) day extension, until December 9, 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 Jerry Jerome Davis 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 State v. Dwayne Eigner with this Court on October 26, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Damon R. Riley with this Court on October 13, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Albert L. Johnson v. State in the Supreme Court on October 6, 2020. Counsel filed the return to petition for writ of certiorari in the case of State v. Christian Anthony Himes in the Supreme Court on October 5, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Clayton Eli Watts v. State in the Supreme Court on October 1, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Arquivius McClee v. State in the Supreme Court on September 30, 2020. Counsel filed an Anders brief of appellant and record on appeal in the case of State v. Jody Mack Childress with this Court on September 25, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald Brown with this Court on September 23, 2020. Counsel attended the Annual Public Defender Conference from September 21-23, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tavaris Dewberry v. State in the Supreme Court on September 17, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brittany Foster v. State in the Supreme Court on September 11, 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

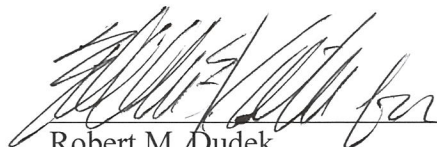
will hopefully become more manageable in the near future, and less extensions will need to be requested.

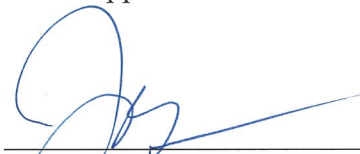
5. Opposing counsel, Matthew Buchanan, Esquire, has graciously consented to this extension request.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until December 9, 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 9th day of November, 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 which to file the initial brief of appellant and designation of matter in the above referenced case has been served upon Matthew Buchanan, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 9th day of November, 2020.

s/ Joanna K. Delany

Joanna K. Delany
Appellate Defender

ATTORNEY FOR PETITIONER