

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Steven H. John, Circuit Court Judge

RECEIVED

Nov 12 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LEE ANTHONY CORLEY,

APPELLANT

Appellate Case No. 2020-000214

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

The undersigned counsel respectfully requests a thirty-day extension from Thursday, November 12, 2020 until December 14, 2020, 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 Thursday, November 12, 2020.

2. *Counsel has recently missed time in the office due to a non-COVID-19 related illness and severe back pain after twice testing negative for COVID-19. Counsel's current health problems still prevent him from working a full-time schedule, as he also sees a specialist and his internal medicine physician. Counsel filed the initial brief of appellant and designation of matter in the death penalty case of The State v. Timothy Ray Jones, Jr. with the Supreme Court on October*

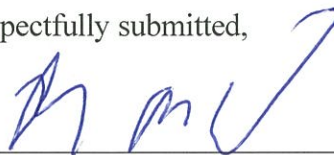
23, 2020 with co-counsel Susan Hackett, David Alexander, Lara Caudy, and Taylor Gilliam. Counsel filed the petition for rehearing in case of The State v. Stewart Jerome Middleton with this Court on October 15, 2020. **Counsel has extensive administrative duties as the Chief Appellate Defender, including Appellate Project oversight duties and management of the work from home personnel during this coronavirus pandemic. Counsel also has to discuss the cases of four inexperienced Appellate Defenders with them in advance and read all of their filings in advance.**

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 extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2020. That extended, emailed general consent was dated October 28, 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,



Robert M. Dudek
Chief Appellate Defender

This 12th day of November, 2020

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APPELLATE CASE NO. 2020-000214

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 12th day of November, 2020.

Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.