

**RECEIVED**

**Dec 14 2020**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Greenville County

Edward W. Miller, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

SAMUEL LAMAR BURNSIDE,

APPELLANT

APPELLATE CASE NO. 2020-000133

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

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The undersigned counsel respectfully requests a **final thirty-day extension until January 13, 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 respectfully shows the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by three prior orders of this Court.
2. On December 8, 2020, Counsel participated on a panel in the Appellate Practice Project CLE. On December 4, 2020, counsel represented Kinjta Kadeem Sadler at a hearing on a motion filed by the state in a post-conviction relief action. Counsel filed an initial brief of appellant

and designation of matter in the case of State v. Chesnee Labri Mattress in this Court on December 1, 2020. Counsel filed the second petition for writ of certiorari and supplemental appendix in the case of William McCladdie v. State in this Court on November 25, 2020. On November 23, 2020, Counsel presented on the topic of Suppression of Statements at the Public Defense 101: Fundamentals of the Profession Conference. Counsel filed the return to the petition for writ of certiorari in the case of Renata Jones v. State in the Supreme Court on November 12, 2020. Counsel presented on the topic of Ethics in Plea Negotiations on November 6, 2020, at a Webinar entitled Collateral Consequences of Criminal Convictions. Counsel had an oral argument in the case of State v. Robert Miller, III with this Court on November 3, 2020. Counsel filed the petition for writ of certiorari in the case of Angela Brewer v. State in the Supreme Court on October 29, 2020. Counsel filed the petition for writ of certiorari in the case of Sidney Stclair Moorner v. State in the Supreme Court on October 28, 2020. Counsel filed an initial brief of appellant and designation of matter in the case of State v. Jonathan William Ray in this Court on October 26, 2020. Counsel, along with co-counsel, filed the initial brief of appellant and designation of matter in the case of State v. Timothy Ray Jones, Jr. in the Supreme Court on October 23, 2020. Counsel filed an initial brief of appellant and designation of matter in the case of State v. Calvin Ford in this Court on October 16, 2020.

3. This request is made in good faith, and not for purposes of delay.

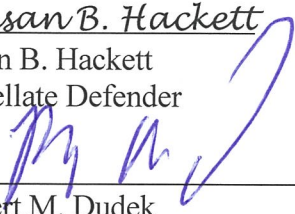
4. Opposing counsel, for the Attorney General's Office, has graciously consented to this extension request by way of the general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2020. That general consent was dated November 25, 2020.

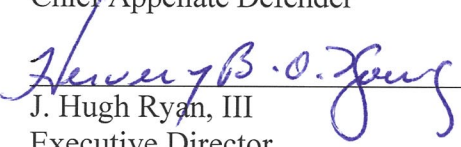
WHEREFORE, the undersigned counsel respectfully requests a **final thirty-day extension until January 13, 2020**, in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

*s/Susan B. Hackett*

Susan B. Hackett  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

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

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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 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), which is mbrown@scag.gov, this 14<sup>th</sup> day of December, 2020.

*s/Susan B. Hackett*

Susan B. Hackett

Appellate Defender

ATTORNEY FOR APPELLANT