

RECEIVED

Jan 13 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Lexington County  
Steven H. John, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

LEE ANTHONY CORLEY,

APPELLANT

Appellate Case No. 2020-000214

---

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

---

Counsel for Lee Anthony Corley respectfully requests a **final extension of thirty (30) days, from Wednesday, January 13, 2021 until February 16, 2021**, in which to file the Initial Brief of Appellant and Designation of Matter in this 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 are due to be filed with the Court today, January 13, 2021. The Court has granted counsel four previous extensions.
2. Counsel for Lee Anthony Corley 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 his caseload, counsel hopes that no further extension requests will be required.

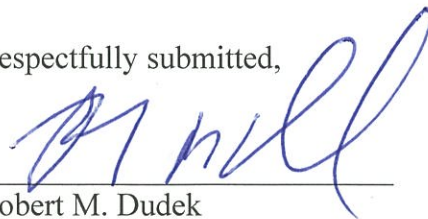
3. Counsel had a WebEx oral argument before this Court yesterday, Tuesday, January 12, 2021 in The State v. Nick Russell Evangelista. Counsel also filed the seven issue initial brief of appellant and designation of matter in the case of The State v. Kierin Marcellus Dennis with this Court yesterday, Tuesday January 12, 2021, with co-counsel Lara Caudy and Adam Ruffin. Counsel filed the return to the petition for writ of certiorari to this Court in the case of The State v. Javon Dion Gibbs with the Supreme Court on December 18, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Walter Murrey with this Court on December 17, 2020. Counsel had an oral argument before the Supreme Court on December 9, 2020 in The State v. Joseph Bowers. Counsel filed the brief of appellant and designation of matter in the case of The State v. Franklin Pierre Dover with this Court on December 1, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Frost v. The State with the Supreme Court on November 20, 2020. Counsel had an oral argument before the Supreme Court on November 17, 2020 in The State v. Ahshaad Mykiel Owens. Counsel filed the brief of appellant and designation of matter in the case of The State v. Robert Wayne Eaves with this Court on November 13, 2020. **Counsel had missed a not inconsiderable amount of time from work due to illness, doctor appointments, and visits with specialists but is almost caught up on his heavy caseload, and counsel is now working on the death penalty case of Andres Torres v. State. Counsel has extensive duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and management of the work from home personnel during this COVID-19 pandemic.**

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.

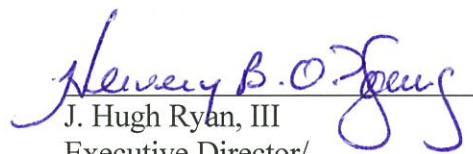
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2021. That extended, emailed general consent was dated December 23, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **final extension of thirty (30) days, from Wednesday, January 13, 2021 until February 16, 2021**, 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 time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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 13<sup>th</sup> day of January, 2021.

**RECEIVED**

**Jan 13 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County

Steven H. John, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

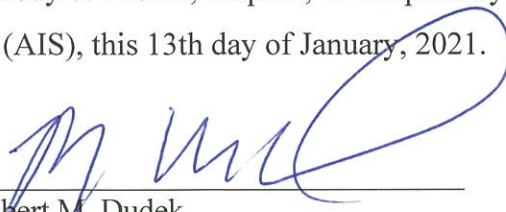
LEE ANTHONY CORLEY,

APPELLANT

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 13th day of January, 2021.

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT.