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Feb 12 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Kristi F. Curtis, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRANDON CHRISTOPHER GRAYER,

APPELLANT.

APPELLATE CASE NO. 2020-000556

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

Counsel for Brandon Christopher Grayer respectfully requests a **fourth and final thirty (30) day extension until March 15, 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. This is a fourth request for an extension. 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.

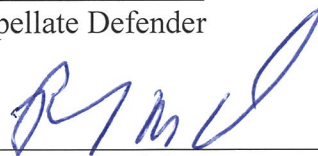
2. Counsel for Brandon Christopher Grayer respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. On January 28, 2021, counsel filed the petition for writ of certiorari and accompany appendix in Manuel S. Hernandez v. The State with the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Diante J. Rogers and with the Court of Appeals on January 4, 2021. Counsel filed the return to petition for writ of certiorari in the case of The State v. Antwuan Levon Nelson with the Supreme Court on December 17, 2020. Counsel filed the return to petition for rehearing in the case of In the Matter of the Care and Treatment of Micah Allen Bilton, with the Court of Appeals on December 14, 2020. Counsel filed the petition for writ of certiorari in the case of Timothy Earl Beheler v. The State, with the Court of Appeals on December 10, 2020. On December 8, 2020, counsel had an oral argument in The State v. William Howard Heath before the Court of Appeals. On January 26, 2021, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2021.

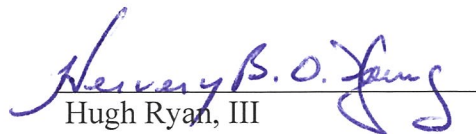
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **March 15, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

s/David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

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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 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 February, 2021.

s/David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT