

**RECEIVED**  
**Jun 14 2021**  
SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Horry County

Honorable Letitia H. Verdin, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

GARY M. WIRTZ,

APPELLANT.

APPELLATE CASE NO. 2020-001388

---

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

---

Counsel for Gary M. Wirtz respectfully requests a **fourth and final thirty (30) day extension until July 14, 2021**, in which to serve and 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 Gary M. Wirtz 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 the brief of appellant in the case of The State v. Francisco Saul Ortiz-Aguirre on June 4, 2021 with the Court of Appeals. Counsel filed the petition for writ of certiorari in the case of Levell Grant v. The State on May 11, 2021 with the Supreme Court. Counsel filed the petition for writ of certiorari in the case of Dennis Rodger Davis, Jr. v. The State on May 4, 2021 with the Supreme Court. Counsel filed the amended petition for writ of certiorari in the case of Adrienne Randolph v. The State on April 12, 2021 with the Supreme Court. Counsel filed the petition for writ of certiorari in the case of Karras Cascelle Cohen, Jr. v. The State on April 7, 2021 with the Supreme Court.

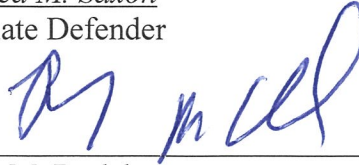
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On May 31, 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 June 30, 2021.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **July 14, 2021**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

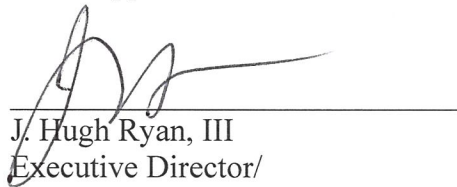
Respectfully submitted,

*s/Jessica M. Saxon*  
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 14th day of June, 2021.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

**Jun 14 2021**

**SC Court of Appeals**

Appeal from Horry County

Honorable Letitia H. Verdin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GARY M. WIRTZ,

APPELLANT.

APPELLATE CASE NO. 2020-001388

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 Extension in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 14th day of June, 2021.

*s/Jessica M. Saxon*

Jessica M. Saxon

ATTORNEY FOR APPELLANT