

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Jul 12 2021

SC Court of Appeals

Appeal from Greenwood County

Honorable Donald B. Hocker, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MARK ANTHONY HAILEY, JR.,

APPELLANT.

APPELLATE CASE NO. 2020-001276

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

Counsel for Mark Anthony Hailey, Jr., respectfully requests a **fourth and final thirty (30) day extension, until August 11, 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. In support of this request, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter are due to be served and filed with the Court today. The Court had granted three previous extensions to the assigned attorney, Appellate Defender Lara Caudy.

2. On July 9, 2021, Appellate Defender Lara Caudy started her maternity leave. The initial brief of appellant has been written in part by Ms. Caudy. Ms. Caudy had planned to finish the brief by today's due date, July 12, 2021, before her maternity leave but the brief still requires additional preparation. Chief Appellate Defender Robert M. Dudek has reassigned this case to the undersigned counsel for completion of the initial brief of appellant and designation of matter. This

reassignment will obviously entail undersigned counsel reading the entire trial transcript which is in excess of one thousand (1,000) pages.

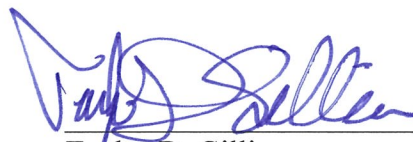
3. Based on the aforementioned circumstances, I respectfully request to be added as counsel of record, and co-counsel, to Appellate Defender Lara M. Caudy.

4. Counsel makes this request in good faith and not for purpose of delay.

5. On June 28, 2021, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, from Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2021.

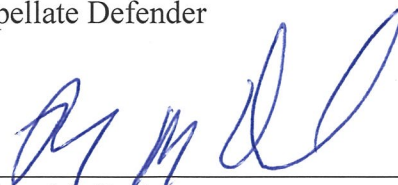
WHEREFORE, the undersigned counsel would respectfully request to be added as counsel of record together with Appellate Defender Lara M. Caudy, and for a **fourth and final thirty (30) day extension until August 11, 2021**, in which to serve and file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Taylor D. Gilliam  
Appellate Defender

Lara M. Caudy  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

Hervery B. O. Young  
Deputy Director and General Counsel

This 12th day of July, 2021.

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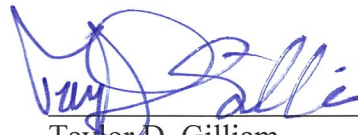
MARK ANTHONY HAILEY, JR.,

APPELLANT.

APPELLATE CASE NO. 2020-001276  
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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 Extension 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 July 12, 2021.



\_\_\_\_\_  
Taylor D. Gilliam  
Appellate Defender

Lara M. Caudy  
Appellate Defender