

RECEIVED
Jul 12 2021
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF JAMES RONNIE NICHOLS, JR.,

APPELLANT.

APPELLATE CASE NO. 2020-001538

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

Counsel for James Ronnie Nichols respectfully requests a **fourth and final thirty (30) day extension, until August 11, 2021**, days 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 has granted counsel three previous extensions.

2. Counsel for James Ronnie Nichols 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, along with co-counsel is preparing the initial reply brief of appellant and designation of matter to be filed with the Supreme Court in the death penalty case of The State v. Timothy Ray Jones, Jr. Counsel filed the initial brief of appellant and designation of matter in The State v. Joseph Randolph Henry with the Court of Appeals on June 17, 2021. Counsel filed a Notice of Appeal in Jason Ervin Black v. The State with the Supreme Court on June 4, 2021. Counsel had a meeting with a Spanish-speaking client and interpreter at Kershaw Correctional Institution and filed his report in the case of Manuel S. Hernandez v. The State on May 25, 2021.

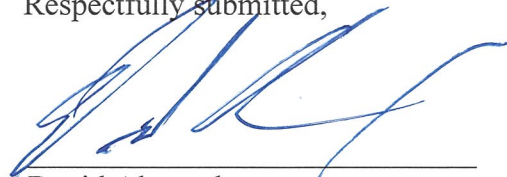
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On June 28, 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 July 31, 2021.

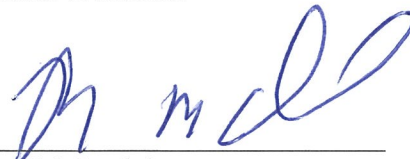
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until August 11, 2021**, in which to serve and file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

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,



David Alexander
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 12th day of July, 2021.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jul 12 2021

SC Court of Appeals

Appeal from Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF JAMES RONNIE NICHOLS, JR.,

APPELLANT.

APPELLATE CASE NO. 2020-001538

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 Deborah R.J. Shupe, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this July 12, 2021.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT