

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable G. Thomas Cooper, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LAMONT ANTONIO SAMUEL,

APPELLANT.

APPELLATE CASE NO. 2020-001612

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

Counsel for Lamont Antonio Samuel respectfully requests a **fifth and final twenty (20) day extension until October 27, 2021**, 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 fifth 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 four previous extensions.
2. Counsel for Lamont Antonio Samuel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **Counsel has been ill and missed significant time at work.** The transcript in this murder case is 692 pages.

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. **Counsel will make every effort to file the brief prior to the deadline.**

3. Counsel filed the petition for writ of certiorari and accompany appendix in Shemaine M. Roberson v. The State with the Supreme Court on October 7, 2021. Counsel filed the initial brief of appellant and designation of matter in The State v. Kevin J. McKinnon with the Court of Appeals on September 27, 2021. On September 21, 2021, counsel had an oral argument in The State v. Mary Ann German before the Supreme Court. On September 15, 2021, counsel had an oral argument in The State v. Montrelle Lamont Campbell before the Court of Appeals. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in The State v. Corey Jermaine Brown with the Supreme Court on August 30, 2021. Counsel filed the brief of petitioner in Michael Duran Watson v. The State with the Court of Appeals on August 13, 2021. Counsel filed the brief of appellant and designation of matter in In the Matter of the Care and Treatment of James Ronnie Nichols, Jr with the Court of Appeals on August 11, 2021. Counsel filed the return to petition for writ of certiorari in The State v. M'Andre Cochran with the Supreme Court on August 2, 2021.

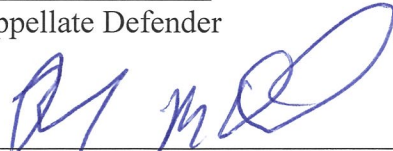
4. Counsel makes this request in good faith and not for purpose of delay. Counsel hopes to file the brief and designation in advance of the requested deadline.

5. On September 30, 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 October 31, 2021.


WHEREFORE, the undersigned counsel would respectfully request a **fifth and final twenty (20) day extension until October 27, 2021**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will make every effort to file the brief prior to the deadline.**

Respectfully submitted,

s/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 7th day of October, 2021.

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SC Court of Appeals

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, 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 7th day of October, 2021.

s/David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT