

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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Oct 20 2021

S.C. SUPREME COURT

APPEAL FROM JASPER COUNTY
Court of General Sessions

The Honorable Carmen Mullen, Circuit Court Judge

Appellate Case No. 2021-1007

RICHARD PASSIO, Jr.....Petitioner,

v.

STATE OF SOUTH CAROLINA.....Respondent.

MOTION FOR EXTENSION TO FILE REPLY BRIEF

Undersigned counsel respectfully asks this Court for a brief extension to file a reply brief in this case. The reply is currently due Monday, October 25, 2021. Counsel asks for a less than 2-week extension so it will be due Friday, November 5, 2021. Counsel is out of town conducting witness interviews in a case from October 21-22, 2021. Counsel also has an oral argument in the Fourth Circuit in a capital case on October 29, 2021. *John Wood v. Bryan Stirling*, Case No. 20-11. Counsel is also co-counsel in another capital case before the Fourth Circuit to be held October 27, 2021 (en banc). *James Nathaniel Bryant III v. Bryan Stirling*, Case 20-4. Counsel has conferred with Bill Schumacher of the South Carolina Attorney General’s Office and he consents to this request.

Respectfully submitted,

/s/ Elizabeth Franklin-Best
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Counsel hereby certifies she has served a copy of this motion for an extension via email at bschumacher@scag.gov.

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/s/ Elizabeth Franklin-Best