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Nov 08 2021

SC Court of Appeals

November 8, 2021

Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: *Larry Blackwell, #176790 v. SCDPPPS*  
Appellate Case No. 2021-001162

Dear Ms. Kitchings:

Appellant's initial brief and designation of matter in the above-captioned case is due to be served and filed on November 8, 2021. We respectfully request an extension of thirty days, until Wednesday, December 8, 2021, in which to file and serve the opening brief and designation of matter. In support of this request, counsel would offer the following:


Over the past thirty days, undersigned counsel Jon Ozmint has prepared for three parole hearings on behalf of individuals serving life sentences, including one scheduled for Wednesday, November 10, 2021; has been out of the state on business in New York, Raleigh, and Nashville for a total of ten days; has been required at two half-day board meetings; and, at the request of lawmakers, prepared and circulated a summary outlining recommendations to the General Assembly in response to the Supreme Court of South Carolina's decision in the case of Mr. Ozmint's client, Dennis Powell, Jr.

Undersigned counsel John Blume is a full-time professor at Cornell Law School and has been occupied over the past thirty days with a full-time teaching schedule, in addition to teaching and consulting obligations related to his role as Director of the Cornell Death Penalty Project and the Cornell Juvenile Justice Project. Additionally, Mr. Blume is counsel of record in a parole case that is scheduled for November 10, 2021.

Undersigned counsel Hannah Freedman is an adjunct clinical professor at Cornell Law School, which requires her to teach multiple groups of clinical students each week. Additionally, over the past thirty days, Ms. Freedman has filed a petition for a writ of certiorari in the Supreme Court of the United States in the case of Terry v. Stirling, No. 21-6151, and is actively working on preparing a clemency petition on behalf of her client in that case; has been required to travel for investigation trips, draft motions, and coordinate and manage expert witness evaluations in the capital post-conviction case of Luzenski Cottrell v. State of South Carolina, No. 2018-CP-26-05709, presently scheduled for an evidentiary hearing in March of 2022; has filed supplemental briefing with this Court and appeared at a detention hearing in Family Court, both in the case of In the Interest of Marcus G., No. 2021-001102; is preparing for a parole hearing scheduled for Wednesday, November 10, 2021; and is counsel in two consolidated cases challenging South Carolina's methods-of-execution statute, both of which were recently removed to federal court under the case caption Owens et al. v. Stirling et al., No. 3:21-cv-03564-JD.

By copy of this letter, I am informing Matthew Buchanan, General Counsel for Respondent the South Carolina Department of Probation, Parole & Pardon Services, of our request.

Thank you for your assistance in this matter. Should you have any additional questions, please do not hesitate to contact me.

  
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cc: Matthew Buchanan, Esq.  
Jon Ozmint, Esq.  
John Blume, Esq.