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Dec 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ANTHONY T. MCKENNIE,

APPELLANT

APPELLATE CASE NO. 2021-000382

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

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Counsel for Anthony T. McKennie respectfully requests a **fourth and final thirty (30) day extension, until January 18, 2022**, 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 fourth 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 three previous extensions.
2. Counsel for Anthony T. McKennie 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 her caseload, counsel hopes that no further extension requests will be required.

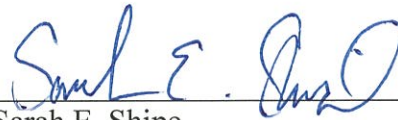
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Quentin Hardy v. The State with the Supreme Court on December 6, 2021. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Carmie Josette Nelson with the Supreme Court on November 19, 2021. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kendall Donyale Arnold v. The State with the Supreme Court on October 22, 2021. Counsel filed the petition for rehearing in the case of The State v. Carmie Josette Nelson with this Court on September 30, 2021. Counsel attended the Annual Public Defender Conference, which was held September 27-29, 2021, in Myrtle Beach, South Carolina. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Favian A. Hayes v. The State with the Supreme Court on September 15, 2021. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alton Wesley Gore v. The State with the Supreme Court on September 1, 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.

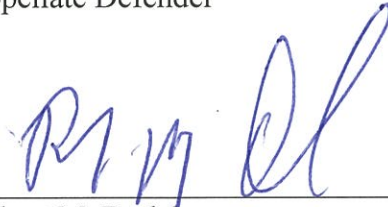
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2021. That emailed general consent was dated November 30, 2021.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension, until January 18, 2022**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

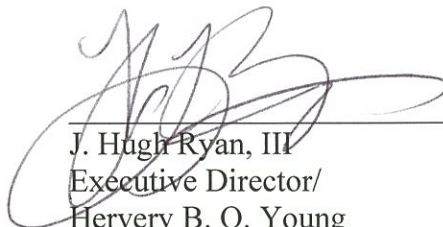
Respectfully submitted,



Sarah E. Shipe  
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 17<sup>th</sup> day of December, 2021.

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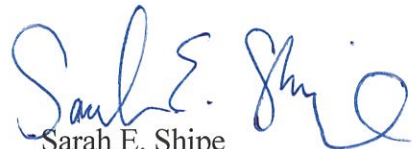
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CERTIFICATE OF SERVICE

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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 an Extension of Time in which to File the Initial Brief of Appellant and Designation of Matter in the above-referenced case have been served upon William M. Blicht, Jr., Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 17<sup>th</sup> day of December, 2021.



Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT