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Jan 04 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Cherokee County

J. Mark Hayes, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ANTERIUS BRAESHUN SMITH,

APPELLANT

APPELLATE CASE NO. 2021-000608

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

Counsel for Anterius Braeshun Smith respectfully requests a thirty (30) day extension, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.

2. Counsel filed the petition for rehearing in the case of State v. Jeffery James Williams with the Court of Appeals on December 22, 2021. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Quentin D. Hardy v. The State


with the Supreme Court on November 29, 2021. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Carmie Josette Nelson with the Supreme Court on November 19, 2021.

3. This request is made in good faith, and not for purposes 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.

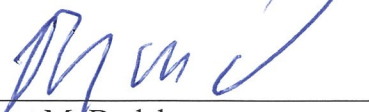
4. On December 29, 2021, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the 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,



Sarah E. Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 4th day of January, 2022.

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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 William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 4th day of January, 2022.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT