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Jan 07 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Beaufort County

Carmen T. Mullen, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

LEVY LARKIN BROWN,

APPELLANT.

APPELLATE CASE NO. 2021-000485

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

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Counsel for Levy Larkin Brown respectfully requests a **fourth and final thirty (30) day extension until February 6, 2022**, in which to serve and 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.
2. Counsel for Levy Larkin Brown 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 brief of appellant in the State v. Jermaine Silas White with the Court of Appeals on January 7, 2022. 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.

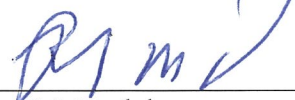
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

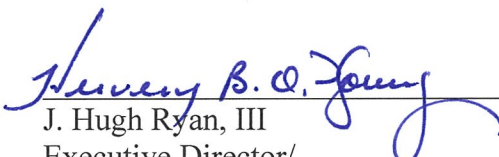
5. On December 29, 2021, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until February 6, 2022**, in which to serve and 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

  
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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 January, 2022.

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THE STATE,

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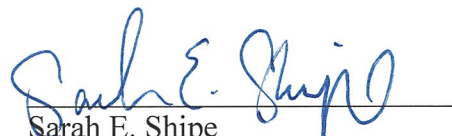
LEVY LARKIN BROWN,

APPELLANT.

APPELLATE CASE NO. 2021-000485  
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CERTIFICATE OF SERVICE  
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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. Blicht, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 7th day of January, 2021.

  
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Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT