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Feb 03 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 **fourth and final thirty (30) day extension until March 7, 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 Anterius Braeshun Smith 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 reply to return to petition for writ of certiorari to the Court of Appeals in the case of State v. Carmie Josette Nelson with the Supreme Court on January 18, 2022. Counsel filed the initial brief of appellant in the State v. Anthony T. McKennie with this Court on January 18, 2022. Counsel filed the initial brief of appellant in the State v. Jermaine Silas White with this Court on January 7, 2022. Counsel filed the petition for rehearing in the case of State v. Jeffery James Williams with this Court on December 22, 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.

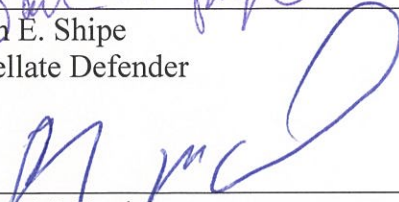
5. On January 31, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until March 7, 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.

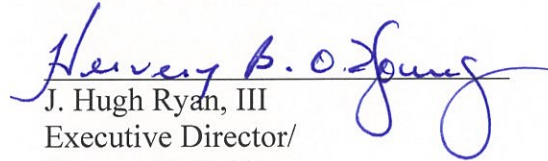
Respectfully submitted,



Sarah E. Shipe
Appellate Defender



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 3rd day of February, 2022.

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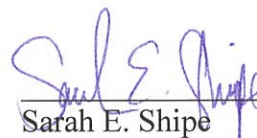
ANTERIUS BRAESHUN SMITH,

APPELLANT

APPELLATE CASE NO. 2021-000608

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 3rd day of February, 2022.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT