

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

EARL RAFEL GADDIS, JR.

APPELLANT

APPELLATE CASE NO. 2021-000826

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

Counsel for Earl Rafel Gaddis respectfully requests a **fourth and final thirty (30) day extension until April 13, 2022**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. 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 Earl Rafel Gaddis respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed the reply to return to petition for writ of certiorari in the case of

State v. Roger Grate in the Supreme Court on March 2, 2022. Counsel filed a reply brief of petitioner in the case of State v. John W. McCarty in the Supreme Court on February 28, 2022. On February 18, 2021, counsel participated as a panelist on the topic of Defending the Accused for a CLE entitled Criminal Defense 101 sponsored by the South Carolina Association of Criminal Defense Lawyers. Counsel had an oral argument in the case of State v. Nicholas B. Chhith-Berry in the Court of Appeals on February 17, 2022. Counsel had an oral argument in the case of State v. James Rosenbaum in the Court of Appeals on February 9, 2022. Counsel had an oral argument in the case of State v. Shannon Earl Garland in the Court of Appeals on February 8, 2022. Counsel had an oral argument in the case of State v. Angela D. Brewer in the Supreme Court on February 2, 2022. Counsel filed the Anders brief of appellant, designation of matter, and record on appeal in the case of State v. Christopher L. Sanders in the Court of Appeals on January 31, 2022. On January 21, 2022, counsel presented on the topic of Evidence at the 2022 S.C. Bar Convention. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Roger D. Grate in the Supreme Court on January 18, 2022. Counsel had an oral argument in the case of State v. Ronald Hakeem Mack in the Supreme Court on January 12, 2022.

4. Counsel makes this request in good faith and not for purpose of delay.

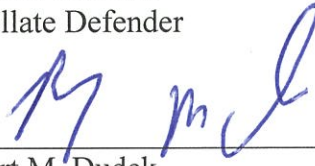
5. On February 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until April 13, 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,



Susan B. Hackett
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 14th day of March, 2022.

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SC Court of Appeals

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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 of time initial brief of appellant and designation of matter in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), which is mbrown@scag.gov this 14th day of March, 2022.


Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT