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Mar 25 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Marion County

Michael G. Nettles, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DAVID MELVIN GRAVES,

APPELLANT

APPELLATE CASE NO. 2021-000866

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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 David Melvin Graves 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 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 had an oral argument in the case of State v. Terriel L. Mack in the Court of Appeals on March 16, 2022. Counsel filed the Anders brief of appellant, designation of matter, and record on appeal in the case of State v. Vernon Jordan in the Court of Appeals on March 14, 2022. 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.

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

4. 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.

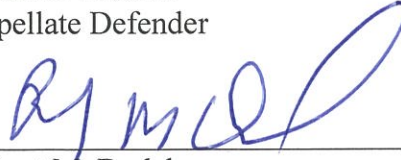
WHEREFORE, the undersigned counsel respectfully requests a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Susan B. Hackett  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 25th day of March, 2022.

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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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), which is [mbrown@scag.gov](mailto:mbrown@scag.gov), this 25<sup>th</sup> day of March, 2022.

  
Susan B. Hackett  
Appellate Defender

ATTORNEY FOR APPELLANT