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May 09 2022
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
George M. McFaddin, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF JAMES GREGORY YOUNGER,

APPELLANT.

APPELLATE CASE NO. 2021-000537

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

Counsel for James Gregory Younger respectfully requests a **final extraordinary extension of ten (10) days, from May 11, 2022 until May 23, 2022**, to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter early, if possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a request for a fifth 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, May 11, 2022. The Court has granted counsel four previous extensions.

2. Counsel for James Gregory Younger respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **This SVP appeal involves multiple pre-trial motions and filings and was extensively litigated below. Counsel will endeavor to file the brief earlier than the ten days requested if at all possible.**

3. Counsel will file the brief of appellant and designation of matter in the case of The State v. Jarvis Deshun Lucas with the Court of Appeals on May 11, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Mandy Morrow Fortson with the Court of Appeals on May 6, 2022. Counsel filed the brief of appellant in the case of In the Matter of the Care and Treatment of Ronald Garrard with the Court of Appeals on April 20, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Donald D. Smith with the Court of Appeals on April 8, 2022. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Panteleimon Spirakis v. The State with the Supreme Court on March 30, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jeremiah Dicapua with the Court of Appeals on March 16, 2022. Counsel filed the brief of appellant in the case of The State v. Jakkari Jaquille De'Andre Brown with the Court of Appeals on March 7, 2022.

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.

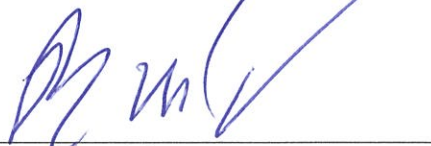
5. On April 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **final ten (10) day extension until May 23, 2022**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above extraordinary circumstances. **Counsel will file the Initial Brief of Appellant and Designation of Matter early, if possible.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 9th day of May, 2022.

STATE OF SOUTH CAROLINA

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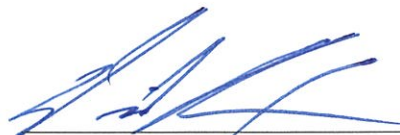
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APPELLATE CASE NO. 2021-000537

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy the Motion for Extension of time to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case has been served upon Deborah R.J. Shupe, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 9th day of May, 2022.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT