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May 13 2022
SC Court of Appeals

May 13, 2022

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Larry Blackwell, #176790 v. SCDPPPS*
Appellate Case No. 2021-001162

Dear Ms. Kitchings:

Appellant's Reply Brief is due to be filed no later than Thursday, May 19, 2022. We respectfully request an extension of fifteen days, until Friday, June 3, 2022, in which to file and serve the Reply Brief. In support of this request, we would offer the following:

Attorney Hannah Freedman is counsel of record in several cases with active deadlines. First, *Owens v. Stirling*, No. 2021-CP-40-2306, is pending before Judge Jocelyn Newman in the Court of Common Pleas. The case has been designated complex and is set for trial in June. Ms. Freedman is presently working on a response to the defendants' joint motion for partial summary judgment, which is due on Monday, May 16, 2022. Ms. Freedman is also actively participating in discovery in that case. Second, Ms. Freedman is *pro bono* counsel for a juvenile facing a petition to waive his charges into the Court of General Sessions. The juvenile's waiver evaluation is scheduled to begin on Monday, May 23, 2022, and she is therefore working to prepare her client and the underlying records. Third, Ms. Freedman is set to be appointed as counsel of record in the juvenile resentencing case *State v. Priester*, No. 2021-GS-06-103 to 109, and she is actively preparing several motions that must be filed in that case. Fourth, Ms. Freedman is counsel to Gary D. Terry, a death-sentenced inmate who is pursuing post-conviction relief pursuant to *Atkins v. Virginia*, 536 U.S. 304 (2002), and Judge Hood has requested a hearing to be held in the next few weeks. Fifth, Ms. Freedman is appointed counsel in the post-conviction relief cases of *Cottrell v. State*, No. 2018-CP-26-05709, and *Stone v. State*, No. 2018-CP-43-01025. The judges on both cases have requested hearings in the next fifteen days. Finally, Ms. Freedman, Mr. Ozmint, and

Mr. Blume are *pro bono* counsel to Joseph Kelsey, who has an appeal pending at the Administrative Law Court in *Kelsey v. S.C. Dep't of Prob., Parole & Pardon Servs.*, No. 22-ALJ-15-0004. Mr. Kelsey's brief in that case is due Tuesday, May 31, 2022.

In addition to Mr. Kelsey's case, Attorney Jon Ozmint is presently out of office in client meetings and will be until May 16, 2022. On May 16, 2022, he is travelling to meet with a new client. Mr. Ozmint has a parole hearing scheduled for May 18, 2022, and he has a Chiropractic Board hearing in Columbia on May 19, 2022. Accordingly, he will not be able to work on the Reply Brief until after it is presently due.

In addition to Mr. Kelsey's case, Attorney John Blume is a full-time professor at Cornell Law School. He is presently occupied with end-of-the-semester grading, which is the busiest time of the academic year. He is unavailable to work on Mr. Blackwell's brief until after it is presently due.

By copy of this letter, I am informing Matthew Buchanan, General Counsel for Respondent the South Carolina Department of Probation, Parole & Pardon Services, of our request.

Thank you for your assistance in this matter. Should you have any additional questions, please do not hesitate to contact me.



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cc: Matthew Buchanan, Esq.
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