

RECEIVED
May 27 2022
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
Benjamin H. Culbertson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DERRICK RIVERA,

APPELLANT.

APPELLATE CASE NO. 2021-001285

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

Counsel for Derrick Rivera respectfully requests a thirty (30) day extension from May 27, 2022 until June 27, 2022, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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 filed the initial brief of appellant and designation of matter in the case of

In the Matter of the Care and Treatment of James Gregory Younger with the Court of Appeals on May 23, 2022. Counsel filed the brief of appellant in the case of The State v. Jason Donn Lee with the Court of Appeals on May 16, 2022. Counsel filed 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.

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

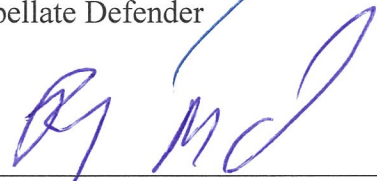
4. On April 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from May 27, 2022 until June 27, 2022. 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,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 27th day of May, 2022.

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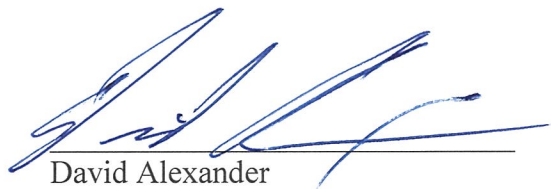
DERRICK RIVERA,

APPELLANT.

APPELLATE CASE NO. 2021-001285

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 27th day of May, 2022.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Matthews, Lindsey](#)
To: [SC - BROWN MELODY](#)
Cc: [SC - BROWN ANGELA](#); [Alexander, David](#)
Subject: 2021-001285 The State v. Derrick Rivera
Date: Friday, May 27, 2022 8:08:00 AM
Attachments: [2021-001285 The State v. Derrick Rivera - Motion for Third Extension.pdf](#)

Attached please find a Motion for Extension in the above-referenced case.

Thank you.

Sincerely,
Lindsey M. Matthews
Administrative Assistant
SC Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
P.O. Box 11589
Columbia, SC 29201
Phone: (803) 734-1330