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Aug 09 2022

SC Court of Appeals

August 9, 2022

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

Re: *Joseph Kelsey, #217218 v. SCDPPPS*
Appellate Case No. 2022-000965

Dear Ms. Kitchings:

Appellant's initial brief and designation of matter in the above-captioned case is due to be served and filed on August 11, 2022. We respectfully request an extension of thirty (30) days, until Friday, September 9, 2022, in which to file and serve the opening brief and designation of matter. This extension is necessary due to the heavy workload of counsel for Mr. Kelsey.

Over the past thirty days, undersigned counsel Jon Ozmint has been primarily occupied with extensive investigation, travel, and communication with senior elected and appointed officials with regards to multiple procurement contracts. He has been required at two board meetings and has spent six days traveling in-state and out-of-state on business.

Undersigned counsel John Blume is a full-time professor at Cornell Law School and has been occupied over the past thirty days with preparation for a full-time teaching schedule in the upcoming school year, in addition to consulting obligations related to his role as the Director of the Cornell Death Penalty Project and the Cornell Juvenile Justice Project.

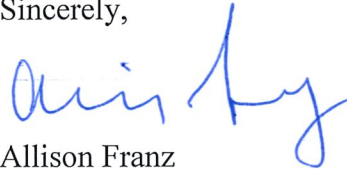
Undersigned counsel Hannah Freedman and Allison Franz have in the past thirty days prepared for and completed trial in *Owens v. Stirling*, 2021-CP-40-02306, which counsel was under order from the South Carolina Supreme Court to complete in ninety days. Counsel's work on *Owens v. Stirling* in the past thirty days included preparation of motions, travel for a number of depositions, and preparation for examination and cross-examination of multiple witnesses. Attorney Freedman has also been actively preparing for capital PCR hearings as follows: appeared at a status conference and conducted in-field investigation with a DDSN expert witness and an expert witness for the applicant in *Stone v. State*, 2018-CP-43-01025 (Sumter Cnty); appeared at a status conference and prepared discovery responses in preparation for a hearing on the merits in *Cottrell v. State*, 2018-CP-05709 (Horry Cnty.); and appeared at a status conference and prepared motions and proposed orders for several experts in *Terry v. State*, 2022-CP-3200924 (Lexington Cnty.). In addition, Attorney Freedman has been working on resolving a global plea agreement in a juvenile pre-waiver case from Chesterfield County that involves thirteen separate charges, and

consulting on another juvenile case from Greenville County involving a 12-year-old child accused of murder.

By copy of this letter, I am informing Matthew Buchanan, General Counsel for Respondent 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.

Sincerely,



Allison Franz
Justice 360
900 Elmwood Ave., Suite 200
Columbia, SC 29201

cc: Matthew Buchanan, Esq.
Hannah Freedman, Esq.
John Blume, Esq.
Jon Ozmint, Esq.