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Sep 19 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

H. Steven DeBerry, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

SEBASTIAN D. KAISK,

APPELLANT

APPELLATE CASE NO. 2022-000181

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

Counsel for appellant respectfully requests a **fourth and final thirty (30) day extension from September 19, 2022, until October 19, 2022**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.
2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.


3. From September 19, 2022 through September 21, 2022, counsel is attending the Annual Public Defender Conference in Myrtle Beach. On September 15, 2022, counsel had an oral argument in The State v. Nyquan Brown before the Court of Appeals. On September 14, 2022, counsel had an oral argument in The State v. Russell Levon Johnson before the Supreme Court. On September 7, 2022, counsel filed the initial brief of appellant and designation of matter in The State v. Paulette Sims with the Court of Appeals. On August 30, 2022, counsel filed the petition for writ of certiorari and accompanying appendix in Scott Welch v. The State with the Supreme Court. On August 26, 2022, counsel filed the initial brief of appellant and designation of matter in The State v. Nathaniel Rowland with the Court of Appeals. On August 8, 2022, counsel filed the petition for writ of certiorari, the brief of appellant pursuant to White v. State, and the accompanying appendix in Shedrick Savage v. The State with the Supreme Court. On August 5, 2022, counsel filed the initial brief of appellant and designation of matter in The State v. Isaiah Butler with the Court of Appeals. On July 26, 2022, counsel filed the amended final reply brief of appellant in The State v. Bryan Austin Seidle with the Court of Appeals. On July 21, 2022, counsel filed the petition for writ of certiorari to the Court of Appeals in The State v. Sherwin Alfonzo Green with the Supreme Court. 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.

4. On August 31, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy

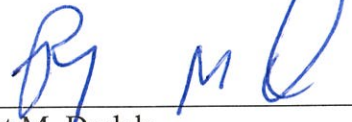
Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from September 19, 2022, until October 19, 2022**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Lara M. Caudy
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 19th day of September, 2022.

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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 William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of September, 2022.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: [SC - BLITCH WILLIAM](#)
Cc: [SC - COLLINS CAROLINE](#); [Caudy, Lara](#)
Subject: Sebastian D. Kask - Extension 4 - Appellate Case No. 2022-000181
Date: Monday, September 19, 2022 2:30:00 PM
Attachments: [Sebastian D. Kask - Extension 4 - Appellate Case No. 2022-000181.pdf](#)

Dear Mr. Blitch,

Attached please find a copy of the fourth extension in the above referenced case that is being filed today, September 19, 2022, with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Lara Caudy
Appellate Defense

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SC Court of Appeals



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

September 19, 2022

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Dear Ms. Kitchings:

In absence of Hervery Young, Deputy Attorney and General Counsel for the South Carolina Commission on Indigent Defense, and Hugh Ryan, Executive Director of the South Carolina Commission on Indigent Defense, and pursuant to instructions from Mr. Ryan, I ask that you accept this cover letter as an attempt to comply with the Court's order dated March 18, 2009, in regard to extension requests.

In the attached motion for an extension of time, Appellate Defender, Lara Caudy, seeks a thirty day extension of time to file the initial brief of appellant and designation of matter.

Thank you for allowing me to bring this to your attention. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Lori Frost
Assistant Director
South Carolina Commission on
Indigent Defense