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Oct 10 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County

Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BREANTE DEON STEVENS,

APPELLANT.

APPELLATE CASE NO. 2022-000019

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

Counsel for Breante D. Stevens respectfully requests a **fourth and final thirty (30) day extension from October 10, 2022 until November 9, 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 Breante D. Stevens 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 his

caseload, counsel hopes that no further extension requests will be required.

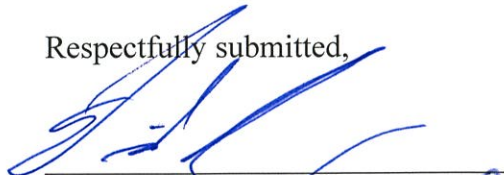
3. Counsel filed the brief of petitioner in the case of Allen Stone v. The State with the Supreme Court on October 10, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Chase Michael Milam with the Court of Appeals on October 3, 2022. Counsel attended the Annual Public Defender Conference, in North Myrtle Beach, South Carolina, on September 19-21, 2022. Counsel had an oral argument in The State v. Corey Jermaine Brown before the Supreme Court on September 14, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jacob Ryan Aljoe with the Court of Appeals on August 26, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Phillip Richard Knighton with the Court of Appeals on August 23, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Correy Tremayne Brown with the Court of Appeals on August 17, 2022. Counsel filed the brief of appellant and designation of matter in the case of The State v. Derrick Jajuan Rivera with the Court of Appeals on July 27, 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 September 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 October 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from October 10, 2022 until November 9, 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.

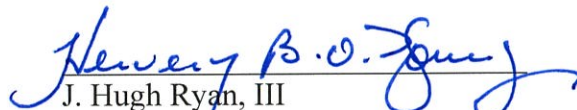
Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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

This 10th day of October, 2022.

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APPELLATE CASE NO. 2022-000019

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 10th day of October, 2022.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Matthews, Lindsey](#)
To: ["Wblitch@scag.gov"](mailto:Wblitch@scag.gov)
Cc: [Caroline Collins](#); [Alexander, David](#)
Subject: 2022-000019 The State v. Breante Deon Stevens
Date: Monday, October 10, 2022 3:42:00 PM
Attachments: [2022-000019 The State v. Breante D. Stevens - Motion for Fourth Extension.pdf](#)

Attached please find a copy of a Motion for Extension which will be filed with the Court of Appeals today in the above-referenced case.

Thank you.

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