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Oct 17 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Clifton Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MIKAH NELSON GREEN,

APPELLANT.

APPELLATE CASE NO. 2022-000297

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

Counsel for Mikah Nelson Green respectfully requests a thirty (30) day extension from October 17, 2022 until November 16, 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 return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Sylvester Ferguson III, with the Supreme Court on October 12, 2022.

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.

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.

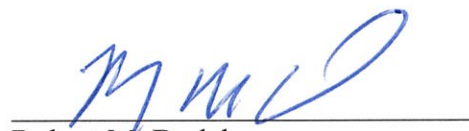
4. On September 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from October 17, 2022 until November 16, 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 17th day of October, 2022.

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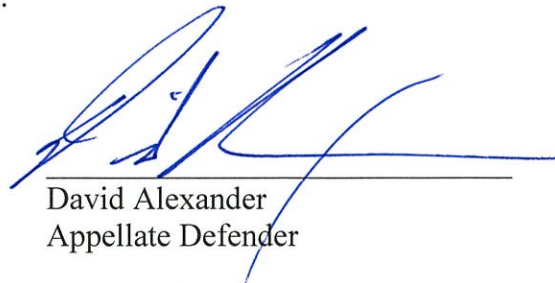
MIKAH NELSON GREEN,

APPELLANT.

APPELLATE CASE NO. 2022-000297

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 17th day of October, 2022.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Matthews, Lindsey](#)
To: [SC - BROWN MELODY](#)
Cc: [SC - BROWN ANGELA](#); [Alexander, David](#)
Subject: 2022-000297 The State v. Mikah Nelson Green
Date: Monday, October 17, 2022 12:52:00 PM
Attachments: [2022-000297 The State v. Mikah Nelson Green - Motion for Third Extension.pdf](#)

Attached please find a copy of a Motion for Third 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