

RECEIVED
Nov 16 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 **fourth and final thirty (30) day extension from November 16, 2022 until December 16, 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 Mikah Nelson Green 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 death penalty case of Marion Alexander Lindsey v. The State, on November 3, 2022 in the Supreme Court, along with co-counsel. 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 this Court 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 this Court 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 this Court on August 23, 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.

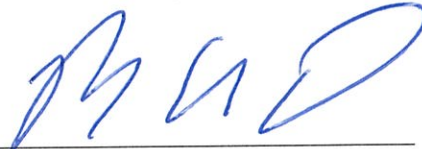
5. On November 1, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from November 16, 2022 until December 16, 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.

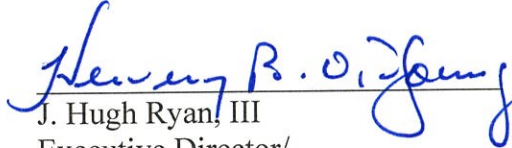
Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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

This 16th day of November, 2022.

RECEIVED

Nov 16 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

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 Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 16th day of November, 2022.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Alexander, David](#)
Subject: 2022-000297 The State v. Mikah Nelsun Green - Motion for Fourth Extension
Date: Wednesday, November 16, 2022 11:04:00 AM
Attachments: [2022-000297 The State v. Mikah Nelsun Green - Motion for Fourth Extension.pdf](#)

Ms. Brown,

Please find attached for service the 4th Request for Extension for Initial Brief of Appellant and Designation of Matter for Mikah Nelsun Green's appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

Chris Stock
Administrative Assistant
Commission on Indigent Defense
Appellate Division
(803) 734-1330