

RECEIVED
Feb 06 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LEONARD MICKENS,

APPELLANT.

APPELLATE CASE NO. 2022-000473

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

Counsel for Leonard Mickens respectfully requests a thirty (30) day extension from February 6, 2023 until March 8, 2023, 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 initial brief of appellant and designation of matter in the case of The State v. Elijah Deshawn Whack with this Court on February 2, 2023. Counsel filed the brief of

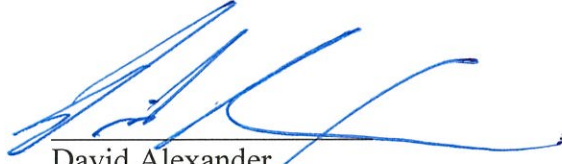
appellant, designation of matter, and record on appeal in the case of The State v. Frederick Chappell with this Court on January 20, 2023. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of In the Matter of the Care and Treatment of Ronald MJ Gregg with the Supreme Court on January 20, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Breante Stevens with this Court on January 13, 2023. Counsel filed the petition for rehearing in the case of The State v. James Baldwin with this Court on December 22, 2022. Counsel filed the brief of appellant, designation of matter, and record on appeal in the case of The State v. Mikah Green with this Court on December 16, 2022. Counsel filed the petition for rehearing in the case of The State v. Rashawn Vertez Carter with this Court on December 15, 2022. Counsel filed the brief of appellant, designation of matter, and record on appeal in the case of The State v. Tyrone Moore with this Court on November 30, 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.

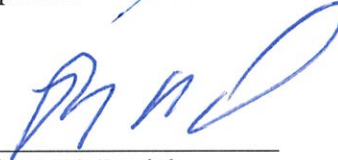
4. On February 1, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from February 6, 2023 until March 8, 2023. 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 6th day of February, 2023.

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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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 6th day of February, 2023.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Alexander, David](#)
Subject: Mickens, L. - 3rd Request for Extension for Initial Brief of Appellant - 2022-000473
Date: Monday, February 6, 2023 10:03:00 AM
Attachments: [Mickens, L. - 3rd Request for Extension for Initial Brief of Appellant - 2022-000473.pdf](#)

Ms. Brown,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for Leonard Mickens' 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