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Feb 21 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Chesterfield County

Honorable Michael S. Holt, Circuit Court Judge

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IN THE MATTER OF THE CARE AND  
TREATMENT OF WILEY L. CHAPMAN,

APPELLANT,

APPELLATE CASE NO. 2022-000956

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

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Counsel for Wiley L. Chapman respectfully requests a **fourth and final thirty (30) day extension from February 21, 2023 until March 23, 2023**, 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 Wiley L. Chapman 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 petition for writ of certiorari and accompanying appendix for Matthew Benninger v. State with the Supreme Court on February 10, 2023. 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.

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.

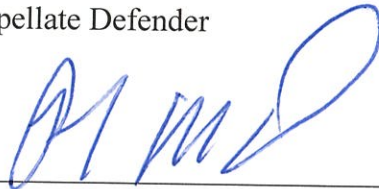
5. On February 1, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from February 21, 2023 until March 23, 2023**, 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/  
Hervy B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training Director

This 21<sup>st</sup> day of February, 2023.

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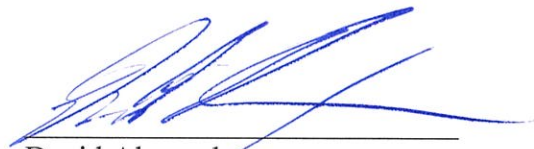
APPELLATE CASE NO. 2022-000956

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CERTIFICATE OF SERVICE

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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 Deborah R. J. Shupe, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 21<sup>st</sup> day of February, 2023.



David Alexander  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [SC - SHUPE DEBORAH](#); [Sally Ellison](#)  
**Cc:** [Alexander, David](#)  
**Subject:** In the Matter of the Care and Treatment of Wiley L. Chapman - 4th Request for Extension for Initial Brief of Appellant - 2022-000956  
**Date:** Tuesday, February 21, 2023 10:10:00 AM  
**Attachments:** [In the Matter of the Care and Treatment of Wiley L. Chapman - 4th Request for Extension for Initial Brief of Appellant - 2022-000956.pdf](#)

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Ms. Shupe,

Attached for service is the 4<sup>th</sup> extension request to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case, which will be filed with the Court of Appeals today.

Thank you,

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