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Apr 10 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Oconee County

Honorable R. Scott Sprouse, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

MACK ADAMS GAINES,

APPELLANT

APPELLATE CASE NO. 2022-000567

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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 Mack Adams Gaines respectfully requests a **fourth and final thirty (30) day extension from April 10, 2023, until May 10, 2023**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. 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 Mack Adams Gaines respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the

case of Bobby Goode v. The State with the Supreme Court on April 6, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jiovaani Aranza Gallegos with the Court of Appeals on April 5, 2023. Counsel filed the brief of petitioner in the case of The State v. Thomas Stephen Acker with the Supreme Court on April 4, 2023. Counsel filed the petition for rehearing in the case of The State v. Seth Hassan Smith with the Court of Appeals on March 24, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Randy Robinson v. The State with the Supreme Court on March 21, 2023. Counsel filed the motion in opposition to respondent's motion to strike in the case of Adonis Williams v. The State with the Supreme Court on March 16, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Matthew Oliver v. The State with the Supreme Court on March 15, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Andre Covington with the Court of Appeals on February 23, 2023. Counsel filed the petition for rehearing in the case of The State v. Jason Edwin Stoots with the Court of Appeals on February 22, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ashley Prior v. The State with the Supreme Court on February 9, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Shannon Bone with the Court of Appeals on February 7, 2023.


4. Counsel makes this request in good faith and not for purpose of delay.

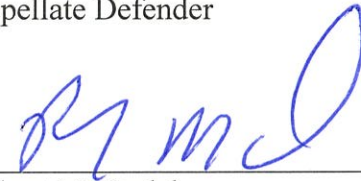
5. On April 4, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through April 30, 2023.

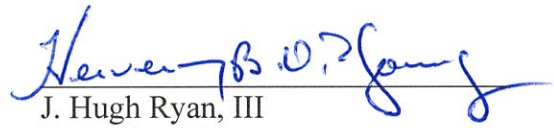
WHEREFORE, the undersigned counsel respectfully requests a **fourth and final thirty (30) day extension from April 10, 2023, until May 10, 2023**, in which to serve and file the initial

brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
Kathrine H. Hudgins  
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 10<sup>th</sup> day of April, 2023.

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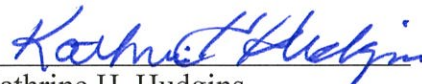
APPELLATE CASE NO. 2022-000567

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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 of time to serve and file the initial brief of appellant and designation of matter 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 10<sup>th</sup> day of April, 2023.



Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [SC - BLITCH WILLIAM](#); [SC - COLLINS CAROLINE](#)  
**Cc:** [Hudgins, Kathrine](#)  
**Subject:** Gaines, M. - 4th Request for Extension for Initial Brief of Appellant - 2022-000567  
**Date:** Monday, April 10, 2023 9:22:00 AM  
**Attachments:** [Gaines, M. - 4th Request for Extension for Initial Brief of Appellant - 2022-000567.pdf](#)

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Mr. Blitch,

Please find attached for service the 4<sup>th</sup> Request for Extension for Initial Brief of Appellant and Designation of Matter for Mack Adams Gaines' 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