

RECEIVED

May 05 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Beaufort County

Robert J. Bonds, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

CODRIAN D. SMALLS

APPELLANT

APPELLATE CASE NO. 2022-000709

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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 Codrian Smalls respectfully requests a thirty day extension 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:

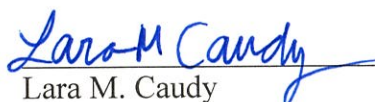
1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.
2. On May 4, 2023, counsel filed the petition for writ of certiorari and accompanying appendix in Eddie Motts v. The State with the Supreme Court. On April 28, 2023, counsel, along with co-counsel, filed the reply brief of petitioner in Marion Alexander Lindsey v.

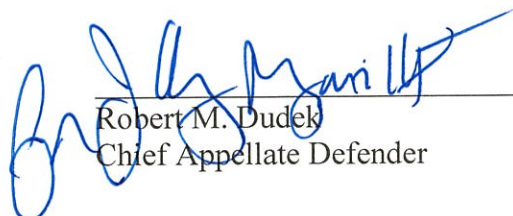
The State with the Supreme Court. On April 28, 2023, counsel filed the petition for writ of certiorari and accompanying appendix in Kyndra Howell v. The State with the Supreme Court. On April 25, 2023, counsel filed the initial reply brief of appellant in The State v. Bowen Gray Turner with the Court of Appeals. On April 19, 2023, counsel filed the initial brief of appellant and designation of matter in The State v. George Holmes with the Court of Appeals. On April 14, 2023, counsel, along with co-counsel, filed the petition for rehearing in The State v. Timothy Ray Jones, Jr. with the Supreme Court. On April 4, 2023, counsel filed the petition for rehearing in Matthew Dwyer v. The State with the Court of Appeals.

3. On April 28, 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 May 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. 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,

  
\_\_\_\_\_  
Lara M. Caudy  
Appellate Defender

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

This 5th day of May, 2023

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THE STATE,

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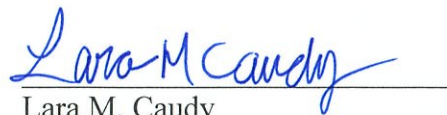
APPELLATE CASE NO. 2022-000709

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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 William M. Blich, Jr., Esquire, at the primary email address listed in the Attorney Information System (AIS), this 5th day of May, 2023.



Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Bryant, Hannah](#)  
**To:** [SC - BLITCH WILLIAM](#); [SC - COLLINS CAROLINE](#); [Caudy, Lara](#)  
**Subject:** Codrian Smalls Appellate Case No. 2022-000709  
**Date:** Friday, May 5, 2023 10:38:00 AM  
**Attachments:** [Codrian Smalls Appellate Case No. 2022-000709 Ext 3.pdf](#)

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Dear Mr. Blitch,

Please find attached for service a copy of the third extension in the above referenced case, which will be filed in the Court of Appeals today.

**Hannah Bryant**

Administrative Assistant  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
1330 Lady Street, Suite 401  
(803)-734-1330