

RECEIVED
May 11 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County

Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ARKEVUS JIMON CAUTHEN,

APPELLANT

APPELLATE CASE NO. 2022-001268

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

Counsel for Arkevus Jimon Cauthen respectfully requests a thirty (30) day extension from May 11, 2023, until June 12, 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 makes this request in good faith and not for purpose of delay. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v.

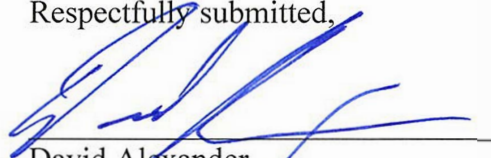
Demetrius Alexander Brown with this Court on May 8, 2023. Counsel filed the Petition for Writ of Certiorari to this Court in the case of The State v. Rashawn Vertez Carter with the Supreme Court on May 1, 2023. Counsel filed the Petition for Writ of Certiorari in the case of Roy Moore v. The State with the Supreme Court on April 28, 2023. Along with co-counsel, counsel filed the reply brief of petitioner in the death penalty case of Marion Alexander Lindsey v. The State with the Supreme Court on April 28, 2023. Counsel filed the Brief of Appellant in the case of The State v. Demetrus Lawson McClary with this Court on April 24, 2023. Counsel filed the Petition for Rehearing in the case of The State v. Mary Ann German with the Supreme Court on April 19, 2023. Counsel filed the Petition for Rehearing in The Matter of The Care and Treatment of John Shelby Wells with this Court on April 14, 2023. Along with co-counsel, counsel filed the Petition for Rehearing in the death penalty case of The State v. Timothy Ray Jones, Jr., with the Supreme Court on April 13, 2023.

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.

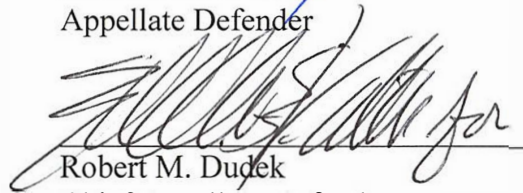
4. On April 28, 2023 , opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from May 11, 2023, until June 12, 2023. 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,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 11th day of May, 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 11th day of May, 2023.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: ["mbrown@scag.gov"](mailto:mbrown@scag.gov); ["Angela Brown"](#)
Cc: [Alexander, David](#)
Subject: 2022-001268 The State v. Arkevus Jimon Cauthen Third Motion for Extension
Date: Thursday, May 11, 2023 9:37:00 AM
Attachments: [2022-001268 The State v. Arkevus Jimon Cauthen Third Motion for Extension.pdf](#)

Good Morning,

The Initial Brief of Appellant and Designation of Matter are due to be served and filed today. Please find attached for service in the above-referenced case the Third Motion for Extension which will be filed today, May 11, 2023, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

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