

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

May 19 2023

SC Court of Appeals

Appeal from Charleston County

Jennifer B. McCoy, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF ANTONIO D. PATTERSON,

APPELLANT

APPELLATE CASE NO. 2022-001219

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

Counsel for Antonio D. Patterson respectfully requests a thirty (30) day extension from May 19, 2023 until June 19, 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; with co-counsel Robert M. Dudek, filed the Brief in Opposition in the United States Supreme Court in the case of South Carolina v. Angela D. Brewer on May 15, 2023.

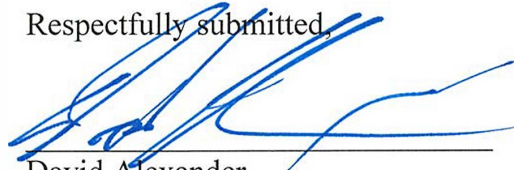
Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Demetrius Alexander Brown with this Court on May 8, 2023. Counsel filed the Petition for Writ of Certiorari to this Court in the case of The State v. Rashawn Vertez Carter with the Supreme Court on May 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.

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.

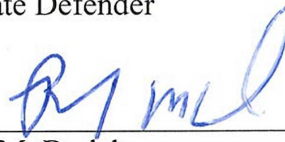
4. On April 28, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from May 19, 2023, until June 19, 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 19th 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 Deborah R.J. Shupe, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of May, 2023.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT