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Jun 07 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County

Honorable Paul M. Burch, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DAVID LOUIS HAYDEN,

APPELLANT.

APPELLATE CASE NO. 2022-001459

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

Counsel for appellant respectfully requests a thirty (30) 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. Counsel filed the Anders brief of appellant and accompanying record on appeal in the case of State v. Tyreek Robinson in the Court of Appeals on June 6, 2023. Counsel filed the Anders brief of appellant and accompanying record on appeal in the case of State v. Corey Porter

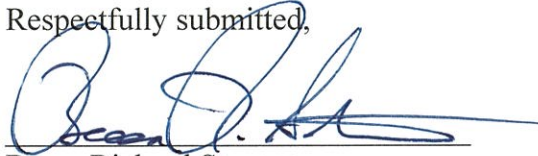
in the Court of Appeals on May 18, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Polo K. Salazar in the Court of Appeals on May 5, 2023. Counsel filed the Anders brief of appellant, record on appeal and designation of matter in the case of State v. Tyshawn Brown in the Court of Appeals on April 24, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Sheena Alston in the Court of Appeals on April 14, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Osman Uvaldo Jimenez-Benitez in the Court of Appeals on April 5, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Maurice Prioleau in the Court of Appeals on March 22, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Sean James in the Court of Appeals on March 7, 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.

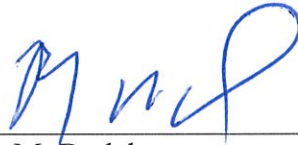
4. On May 31, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2022.

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,



Breen Richard Stevens
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 7th day of June, 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 William M. Blich, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 7th day of June, 2023.



Breen Richard Stevens
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: [SC - BLITCH WILLIAM](#)
Cc: [SC - COLLINS CAROLINE](#); [Stevens, Breen](#)
Subject: David Louis Hayden - Extension 3 - Appellate Case No. 2022-001459
Date: Wednesday, June 7, 2023 3:05:00 PM
Attachments: [David Louis Hayden - Extension 3 - Appellate Case No. 2022-001459.pdf](#)

Dear Mr. Blitch,

Attached please find a copy of the third extension in the above referenced case that is being filed today, June 7, 2023, with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Breen Stevens
Appellate Defense