

RECEIVED

Jun 12 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Lancaster County

Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ARKEVUS JIMON CAUTHEN,

APPELLANT

APPELLATE CASE NO. 2022-001268

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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 Arkevus Jimon Cauthen respectfully requests a **fourth and final thirty (30) day extension from June 12, 2023, until July 12, 2023**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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 Arkevus Jimon Cauthen respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

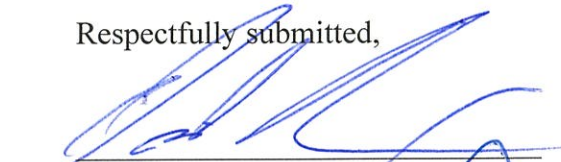
3. Counsel filed the Anders Brief of Appellant in the case on The State v. Michael Paul Griffin with this Court on June 5, 2023. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals In The Matter of the Care and Treatment of John Shelby Wells with the Supreme Court on May 22, 2023. 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.

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

5. 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, 2023.

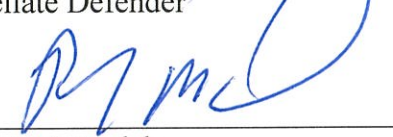
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from June 12, 2023, until July 12, 2023**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,



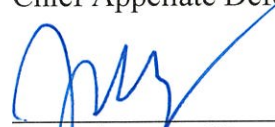
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David Alexander  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender



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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 12th day of June, 2023.

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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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 12th day of June, 2023.



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David Alexander  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Pollard, Shelby](#)  
**To:** [SC - BROWN MELODY; Angela Brown](#)  
**Cc:** [Alexander, David](#)  
**Subject:** 2022-001268 The State v. Arkevus Jimon Cauthen Fourth Motion for Extension  
**Date:** Monday, June 12, 2023 3:56:00 PM  
**Attachments:** [2022-001268 The State v. Arkevus Jimon Cauthen Fourth Motion for Extension.pdf](#)

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Good Afternoon,

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 Fourth Motion for Extension which will be filed today, June 12, 2023, with the Court of Appeals via email filing.

Thank you,  
Shelby

**Shelby Pollard**

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