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Jun 23 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable G. D. Morgan, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MICHAEL J. KENNEDY,

APPELLANT

APPELLATE CASE NO. 2022-001293

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

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:


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 petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Seth Hassan Smith with the Supreme Court on June 19, 2023. Counsel filed the petition for rehearing in the case of The State v. Terrell Knightner with the Court of Appeals on May 11, 2023. Counsel had an oral argument in the case of The

State v. Kenneth Ray Gleaton before the Court of Appeals on May 9, 2023. Counsel filed the petition for rehearing in the case of The State v. Seth Hassan Smith with the Court of Appeals on May 3, 2023. Counsel filed the Anders brief of appellant, record on appeal, and designation of matter in the case of The State v. Mack Adams Gaines with the Court of Appeals on May 2, 2023. Counsel filed the amended petition for writ of certiorari to the Court of Appeals in the case of Adonis Williams v. The State with the Supreme Court on May 1, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wendy Green with the Court of Appeals on May 1, 2023. Counsel filed the return to petition for writ of certiorari in the case of Angelo H. Taylor v. The State with the Supreme Court on April 20, 2023. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Jason Stoots with the Supreme Court on April 17, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Morrison v. The State with the Supreme Court on April 13, 2023. Counsel had an oral argument in the case of Mitchell Logan Hinson v. The State before the Court of Appeals on April 13, 2023.

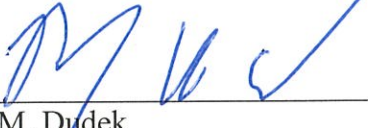
3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2023. That emailed general consent was dated May 31, 2023.

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



Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 23rd 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 of time to file initial brief of appellant and designation of matter in the above-referenced case have been served upon William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23rd day of June, 2023.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BLITCH WILLIAM](#); [SC - COLLINS CAROLINE](#)
Cc: [Hudgins, Kathrine](#)
Subject: Kennedy, Michael - 3rd Request for Extension for Initial Brief of Appellant - 2022-001293
Date: Friday, June 23, 2023 9:07:00 AM
Attachments: [Kennedy, Michael - 3rd Request for Extension for Initial Brief of Appellant - 2022-001293.pdf](#)

Mr. Blitch,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for Michael Kennedy's appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

Chris Stock
Administrative Assistant
Commission on Indigent Defense
Appellate Division
(803) 734-1330