

**RECEIVED**  
**Jun 23 2023**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Aiken County

Diane Schafer Goodstein, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

PEDRO CERVANTES RODRIGUEZ,

APPELLANT

APPELLATE CASE NO. 2022-001511

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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 Pedro Cervantes Rodriguez respectfully requests a **fourth and final thirty (30) day extension from June 23, 2023 until July 24, 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 Pedro Cervantes Rodriguez 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, with co-counsel Lara M. Caudy, filed the Petition for Rehearing in the case of The State v. Tammy Caison Moorer with the Court of Appeals on June 22, 2023. Counsel filed the Brief of Appellant and the Record on Appeal in the murder case of The State v. Earl Gene Johnson, Jr. with the Court of Appeals on June 1, 2023. Counsel is second chair in South Carolina v. Angela Brewer in which a brief in opposition to the state's petition for writ of certiorari was filed on Monday, May 15, 2023. Counsel was on scheduled vacation from May 1-13, 2023. Counsel filed the Reply Brief of Petitioner for the capital appeal in the case of Marion Alexander Lindsey v. The State on or about April 28, 2023. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Bowen Gray Turner with the Court of Appeals on April 25, 2023. Counsel filed the petition for rehearing in the death penalty case of The State v. Timothy Ray Jones, Jr. on April 13, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Dabry Aunta James with the Court of Appeals on April 5, 2023. Counsel appeared before the Supreme Court for oral argument in the murder case of The State v. William C. Sellers on Thursday, March 30, 2023. Counsel and co-counsel Lara M. Caudy filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Bowen Gray Turner with the Court of Appeals on March 16, 2023. Counsel appeared before the Supreme Court for oral argument as the respondent in the attempted case of The State v. James Caleb Williams on March 8, 2023. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

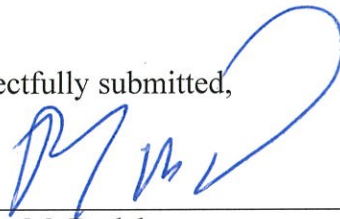
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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

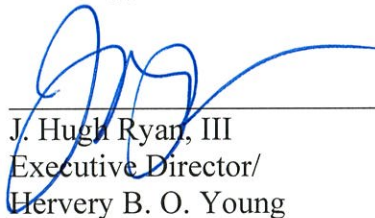
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from June 23, 2023 until July 24, 2023** in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,



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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 23rd day of June, 2023.

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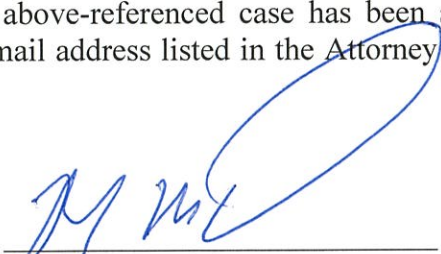
APPELLATE CASE NO. 2022-001511

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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 William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23rd day of June, 2023.

  
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Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Warren, Kaylynn](#)  
**To:** [William Blich](#)  
**Cc:** [Dudek, Robert](#); [Caroline Collins](#)  
**Subject:** 2022-001511 The State v. Pedro Cervantes Rodriguez  
**Date:** Friday, June 23, 2023 9:22:00 AM  
**Attachments:** [2022-001511 The State v. Pedro Cervantes Rodriguez Fourth Motion for Extension and COS.pdf](#)

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Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for an Extension of Time which will be filed today, June 23, 2023, with the Court of Appeals via OneDrive.

Respectfully,  
Kaylynn

**Kaylynn Warren**

Administrative Assistant  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
(803) 734-1330