

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Jul 07 2023

SC 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 **fourth and final thirty (30) day extension from July 7, 2023, until August 7, 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 appellant 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.

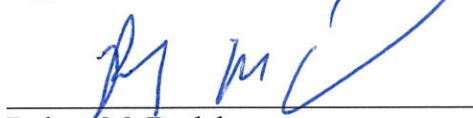
3. Counsel filed the petition for rehearing in the case of State v. Sidney Stclair Moorer with the Court of Appeals on June 22, 2023. Counsel filed the brief of respondent in the case of State v. Demontay M. Payne with the Supreme Court on June 15, 2023. Counsel filed the brief of respondent in the case of State v. Devin Jamel Johnson with the Supreme Court on June 14, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Zachir Devaugnte Shyhiim McCall in the Court of Appeals on June 9, 2023. 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.

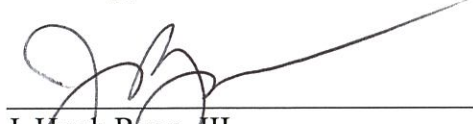
4. On June 30, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from July 7, 2023, until August 7, 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,


Breen R. Stevens
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


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 7th day of July, 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, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 7th day of July, 2023.



Breen R. Stevens
Appellate Defender

ATTORNEY FOR APPELLANT