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Jul 24 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenville County

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

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THE STATE,

RESPONDENT,

V.

MICHAEL J. KENNEDY,

APPELLANT

APPELLATE CASE NO. 2022-001293

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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 Michael J. Kennedy respectfully requests a **fourth and final thirty (30) day extension from July 24, 2023, until August 23, 2023**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. 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 on July 24, 2023.
2. Counsel for Michael J. Kennedy respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed the second petition for rehearing in the case of The State v. Kayla

Cook with the Court of Appeals on July 13, 2023. Counsel filed the second petition for rehearing in the case of The State v. Terrell Denard Knightner with the Court of Appeals on July 10, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Satwaun Wallace Henryhand with the Court of Appeals on July 10, 2023. Counsel filed the Anders brief of appellant, record on appeal, and designation of matter in the case of The State v. Darrell Land with the Court of Appeals on July 7, 2023. Counsel filed the reply to return to petition for writ of certiorari to the Court of Appeals in the case of Adonis Williams v. The State with the Supreme Court on June 3, 2023. Counsel filed the return to petition for writ of certiorari in the case of Charles Green, Jr. v. The State with the Supreme Court on June 23, 2023. 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.

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

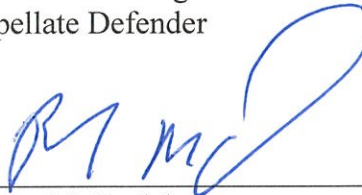
5. On June 30, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2023.

WHEREFORE, the undersigned counsel respectfully requests a **fourth and final thirty (30) day extension from July 24, 2023, until August 23, 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. 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.

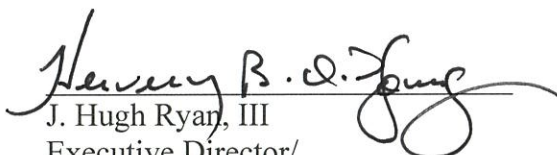
Respectfully submitted,



Kathrine H. Hudgins  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender



J. Hugh Ryan, III  
Executive Director/  
Hervery B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training Director

This 24<sup>th</sup> day of July, 2023.

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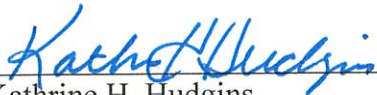
APPELLATE CASE NO. 2022-001293

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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 of time to serve and file the initial brief of appellant and designation of matter 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 24<sup>th</sup> day of July, 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 - 4th Request for Extension for Initial Brief of Appellant - 2022-001293  
**Date:** Monday, July 24, 2023 9:22:00 AM  
**Attachments:** [Kennedy, Michael - 4th Request for Extension for Initial Brief of Appellant - 2022-001293.pdf](#)

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Mr. Blitch,

Please find attached for service the 4<sup>th</sup> 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