

RECEIVED

Jul 28 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Beaufort County

Robert J. Bonds, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

DEAVION JAHQUWAN BURGESS,

APPELLANT

APPELLATE CASE NO. 2022-001092

---

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

---

Counsel for Deavion Jahquwan Burgess respectfully requests a thirty (30) day extension from July 28, 2023 until August 28, 2023, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.

2. Counsel filed the initial brief of appellant and designation of matter in the three-issue murder case of The State v. Larry Ja Juan Scipio with this Court on July 21, 2023. Counsel

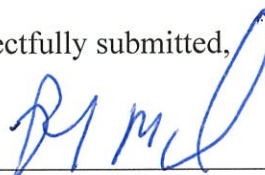
filed the Petition for Stay of Execution in the case of The State v. Timothy Ray Jones with the Supreme Court on July 20, 2023. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Pedro Cervantes Rodriguez with this Court on Wednesday, July 19, 2023. Counsel, with co-counsel Lara M. Caudy, filed the Petition for Rehearing in the case of The State v. Tammy Caison Moorer with this Court on July 19, 2023. Counsel, with co-counsel David Alexander, filed the Petition for Rehearing in the death penalty case of Andres Antonio Torres v. The State with the Supreme Court on July 11, 2023. Counsel was a trainer on error preservation and a co-group session leader at the Public Defense 103 Seminar in Greenville, South Carolina from July 5-7, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Quinterious R. Truesdale with this Court on June 30, 2023. Counsel also filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Gabriel Dantray Curry with this Court on June 30, 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 also has extensive administrative duties as the Chief Appellate Defender.**

3. This request is made in good faith, and not for purposes 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.

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 thirty-day extension from July 28, 2023 until August 28, 2023. 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,



---

Robert M. Dudek  
Chief Appellate Defender

This 28th day of July, 2023.

**RECEIVED**

**Jul 28 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Beaufort County

Honorable Robert J. Bonds, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

DEAVION JAHQUWAN BURGESS,

APPELLANT

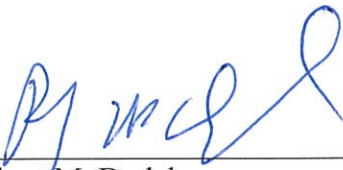
APPELLATE CASE NO. 2022-001092

---

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 28th day of July, 2023.

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Warren, Kaylynn](#)  
**To:** [SC - BROWN MELODY](#)  
**Cc:** [Dudek, Robert](#); [Angela Brown](#)  
**Subject:** 2022-001092 The State v. Deavion Jahquwan Burgess  
**Date:** Friday, July 28, 2023 10:23:00 AM  
**Attachments:** [2022-001092 The State v. Deavion Jahquwan Burgess Third Motion for Extension.pdf](#)

---

Good Morning,

Attached for service in the above-referenced case is the Third Motion for Extension which will be filed today, July 28, 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