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Aug 30 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Colleton County

Perry M. Buckner, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KENNETH MAR KEITH CHISOLM,

APPELLANT.

APPELLATE CASE NO. 2022-001206

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 thirty (30) day extension, 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 Johnson petition for writ of certiorari and accompanying appendix in the case of William T. Smith v. State with the Supreme Court on August 23, 2023. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v.

Sidney Stclair Moorer with the Supreme Court on August 18, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jaylen Bell with the Court of Appeals on August 14, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. David Hayden with the Court of Appeals on July 24, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Quayshaun X. Clark with the Court of Appeals on July 14, 2023. Counsel attended the Public Defenders 103: Trial Skills Workshop from July 5-7, 2023, in Greenville, SC. 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.

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.

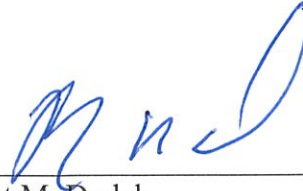
4. On August 30, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Breen R. Stevens
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 30th day of August, 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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 30th day of August, 2023.



Breen R. Stevens
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Stevens, Breen](#); [Leverett, Scott](#)
Subject: Kenneth Mar Keith Chisolm - Extension 3 - Appellate Case No. 2022-001206
Date: Wednesday, August 30, 2023 9:21:00 AM
Attachments: [Kenneth Mar Keith Chisolm - Extension 3 - Appellate Case No. 2022-001206.pdf](#)

Ms. Brown,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for Kenneth MarKeith Chisholm'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