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Sep 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Charleston County

William H. Seals, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

THOMAS HENRY BROWN, JR,

APPELLANT

APPELLATE CASE NO. 2023-000261

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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 Thomas Brown respectfully requests a thirty 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. On September 14, 2023, counsel has an oral argument in James Carrier v. The State before the Court of Appeals. On September 5, 2023, counsel filed the initial brief of appellant and designation of matter in The State v. Brian Redding with the Court of Appeals. On

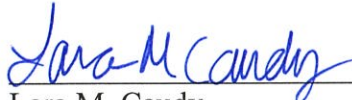
August 31, 2023, counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in The State v. Tammy Caison Moorner with the Supreme Court. On August 17, 2023, counsel filed the petition for rehearing in Dominic Leggette v. The State with the Court of Appeals. On August 9, 2023, counsel filed the initial brief of appellant and designation of matter in In the Matter of the Care and Treatment of Tracy Fabian with the Court of Appeals. On July 26, 2023, counsel filed the initial brief of appellant and designation of matter in The State v. Dlanor Tilton with the Court of Appeals. On July 19, 2023, counsel filed the petition for rehearing in The State v. Tammy Caison Moorner with the Court of Appeals. On July 12, 2023, counsel filed the initial brief of appellant and designation of matter in The State v. Shakoya Darby with the Court of Appeals.

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 September 1, 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 September 30, 2023.

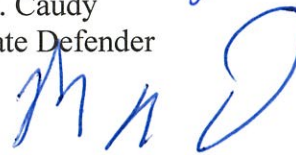
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Lara M. Caudy  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 11th day of September, 2023

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THE STATE,

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APPELLATE CASE NO. 2023-000261  
\_\_\_\_\_

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 Mark Farthing, Esquire, at the primary email address listed in the Attorney Information System (AIS), this 11th day of September, 2023.

  
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Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Bryant, Hannah](#)  
**To:** [Mark Farthing](#); [SC - COLLINS CAROLINE](#); [Caudy, Lara](#)  
**Subject:** Thomas Brown Appellate Case No. 2023-000261 Extension 3  
**Date:** Monday, September 11, 2023 10:22:00 AM  
**Attachments:** [Thomas Brown Appellate Case No. 2023-000261 Extension 3.pdf](#)

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Dear Mr. Farthing,

Please find attached for service a copy of the third extension in the above referenced case, which will be filed in the Court of Appeals today.

**Hannah Bryant**

Administrative Assistant  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
1330 Lady Street, Suite 401  
(803)-734-1330