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Sep 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Bentley Price, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CHANNON T. PRESTON,

APPELLANT

APPELLATE CASE NO. 2022-001474

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

Counsel for Channon Talon Preston respectfully requests a thirty (30) day extension from September 11, 2023, until October 11, 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 Brief of Appellant and the Record on Appeal in the case of The State v. Ricky D. Edwards with this Court on Friday, August 18, 2023. Counsel filed the

Petition for Rehearing in the case of The State v. John Ernest Perry with the Supreme Court on August 9, 2023. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Shannon Lamont Ziquan Johnson with this Court on August 7, 2023. Counsel appeared as a witness in the PCR hearing in the capital appeal case of The State v. Ricky Lee Blackwell at the Laurens County Courthouse on July 31, 2023. 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 also has extensive administrative duties as the Chief Appellate Defender.**

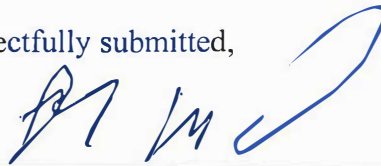
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be

requested.

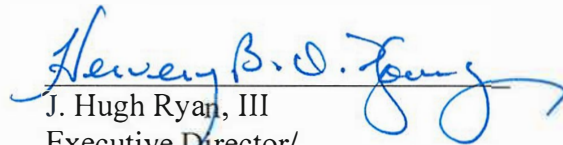
4. On September 1, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from September 11, 2023, until October 11, 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



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 11th day of September, 2023.

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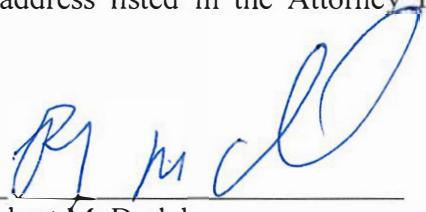
CHANNON T. PRESTON,

APPELLANT

APPELLATE CASE NO. 2022-001474

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 11th day of September, 2023.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Dudek, Robert](#)
Subject: 2022-001474 The State v. Channon T. Preston Third Motion for Extension
Date: Monday, September 11, 2023 11:21:00 AM
Attachments: [2022-001474 The State v. Channon T. Preston Third Motion for Extension.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Third Motion for Extension in which to serve and file the Initial Brief of Appellant and Designation of Matter. This extension will be filed today, September 11, 2023, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

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Appellate Division
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