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Oct 20 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MARTEL DEKARLOS GADDIS,

APPELLANT.

APPELLATE CASE NO. 2022-000553

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

Counsel for Martel Dekarlos Gaddis respectfully requests a thirty (30) day extension from October 20, 2023, until November 20, 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 Respondent in the case of The State v. Phillip Wayne Lowery with the Supreme Court on Wednesday, October 18, 2023. Counsel filed the Petition for

Writ of Certiorari and Appendix in the case of Jason Simmons v. The State with the Supreme Court on October 13, 2023. Counsel is preparing to argue the case of State v. Gregg Pickrell before the Supreme Court on Tuesday, October 24, 2023 in Greenville, South Carolina. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Deavion Jahquwan Burgess with this Court on September 29, 2023. Counsel along with co-counsel, Lara M. Caudy, filed an amended petition for writ of certiorari to the Court of Appeals in the case of The State v. Tammy Caison Moorer with the Supreme Court also on September 29, 2023. Counsel presented his Case Law Update presentation for the South Carolina Public Defenders Convention on October 9, 2023 in North Myrtle Beach, South Carolina. On September 13, 2023, Counsel presented oral argument in the case of The State v. Robert X. Geter in the Supreme Court. 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 also has extensive administrative duties as the Chief Appellate Defender.**

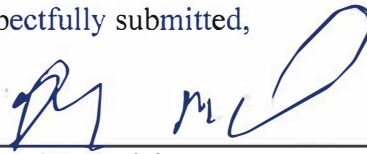
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On October 3, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy

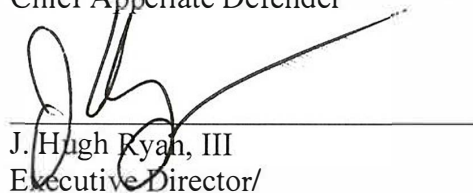
Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from October 20, 2023, until November 20, 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 20th day of October, 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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 20th day of October, 2023.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [Mark Farthing](#); [Grace Sommer](#); [Caroline Collins](#)
Cc: [Dudek, Robert](#)
Subject: 2022-000553 The State v. Martel Dekarlos Gaddis - Third Motion for Extension
Date: Friday, October 20, 2023 9:04:00 AM
Attachments: [2022-000553 The State v. Martel Dekarlos Gaddis 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, October 20, 2023, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

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