

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Nov 08 2023
SC Court of Appeals

Appeal from Dorchester County
Diane Schafer Goodstein, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ANTHONY NICHOLAS ARGOE,

APPELLANT

APPELLATE CASE NO. 2023-000223

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

Counsel for Anthony Nicholas Argoe respectfully requests a thirty (30) day extension from November 8, 2023, until December 8, 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 petition for writ of certiorari and appendix in the case of Joshua Maiden v. The State with the Supreme Court on November 2, 2023. On October 24, 2023,

Counsel presented oral argument in the case of The State v. Gregg Pickrell in the Supreme Court. Counsel filed the Brief of Respondent in the case of The State v. Phillip Wayne Lowery with the Supreme Court on 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 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 Moorner with the Supreme Court also on September 29, 2023. Counsel is preparing for his Case Law Update presentation for the South Carolina Public Defenders Convention which is from October 9-11, 2023. 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 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

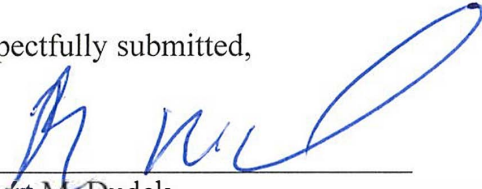
Rehearing in the case of The State v. Tammy Caison Moorer with this Court on July 19, 2023. Counsel, with co-counsel David Alexander, filed the Petition for Rehearing in the death penalty case of Andres Antonio Torres v. The State with the Supreme Court on July 11, 2023. Counsel was a trainer on error 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.

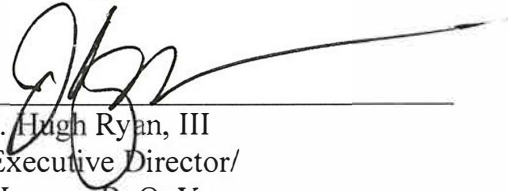
4. On October 31, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from November 8, 2023, until December 8, 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 8th day of November, 2023.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dorchester County

Honorable Maite Murphy, Circuit Court Judge

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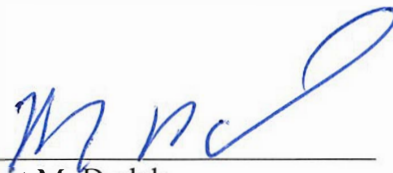
ANTHONY NICHOLAS ARGOE,

APPELLANT

APPELLATE CASE NO. 2023-000223

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 8th day of November, 2023.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT