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Nov 15 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Lexington County

Debra R. McCaslin, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

CHRISTOPHER D. SHUMPERT,

APPELLANT.

APPELLATE CASE NO. 2023-000568

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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 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 argued on behalf of PCR applicant during a reconstruction hearing in the case of Jacoby Fields v. State before Judge Jefferson on November 9, 2023. Counsel filed the Anders brief of appellant in the case of State v. Kenneth Mar Keith Chisolm with the Court of

Appeals on October 30, 2023. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Alexander Rasheen Matthews v. State with the Supreme Court on October 20, 2023. From October 9, 2023 through October 11, 2023, counsel attended the Annual Public Defender Conference in Myrtle Beach. On October 4, 2023, counsel had an oral argument in The State v. Demontay Markeith Payne before the Supreme Court. Counsel filed the initial brief of appellant in the case of State v. Sosa Croft with the Court of Appeals on September 22, 2023. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Harper v. State with the Supreme Court on September 6, 2023. 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.

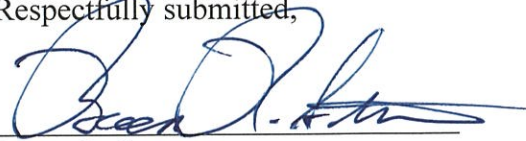
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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.

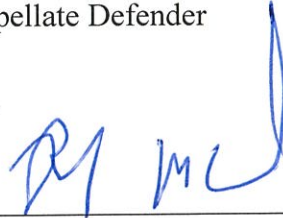
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial

Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Breen R. Stevens", written over a horizontal line.

Breen R. Stevens  
Appellate Defender

A handwritten signature in blue ink, appearing to read "R. M. Dudek", written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

This 15th day of November, 2023.

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CERTIFICATE OF SERVICE

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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 15th day of November, 2023.



Breen R. Stevens  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Leverett, Scott](#)  
**To:** [SC - BROWN MELODY](#); [SC - BROWN ANGELA](#)  
**Cc:** [Stevens, Breen](#)  
**Subject:** Christopher D. Shumpert - Extension 3 - Appellate Case No. 2023-000568  
**Date:** Wednesday, November 15, 2023 10:44:00 AM  
**Attachments:** [Christopher D. Shumpert - Extension 3 - Appellate Case No. 2023-000568.pdf](#)

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Dear Ms. Brown,

Attached please find a copy of the third extension in the above referenced case that is being filed today, November 15, 2023 with the Court of Appeals.

-Scott Leverett  
Admin. Asst. for Breen Stevens  
Appellate Defense