

RECEIVED

Nov 15 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

H. Steven DeBerry, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TRONAHZ J.S. WHITTINGTON,

APPELLANT.

APPELLATE CASE NO. 2023-000535

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

Counsel for appellant respectfully requests a **fourth and final thirty (30) day extension from November 15, 2022, until December 15, 2023**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.
2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. 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 Moorner 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.

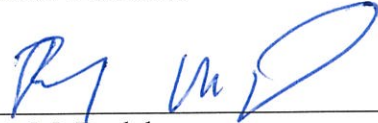
4. On October 31, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from November 15, 2023, until December 15, 2023**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

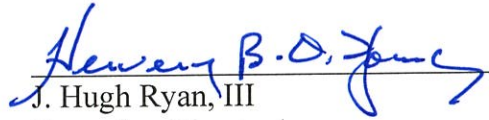
Respectfully submitted,



Breen R. Stevens
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 15th day of November, 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 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: Tronahz J.S. Whittington - Extension 4 - Appellate Case No. 2023-000535
Date: Wednesday, November 15, 2023 10:43:00 AM
Attachments: [Tronahz J.S. Whittington - Extension 4 - Appellate Case No. 2023-000535.pdf](#)

Dear Ms. Brown,

Attached please find a copy of the fourth 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