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Nov 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 **fourth and final thirty (30) day extension from November 20, 2023, until December 20, 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 Martel Dekarlos Gaddis 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 his caseload, counsel hopes that no further extension requests will be required.


3. Counsel, along with co-counsel David Alexander and Lara M. Caudy, filed a Petition for Writ of Certiorari in death penalty the case of The State of South Carolina v. Timothy Ray Jones with the United States Supreme Court on Thursday, November 16, 2023. That same day, November 16, 2023, Counsel presented oral argument before this Court in the seven legal issue murder appeal case of The State v. Keirin M. Dennis. 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. Counsel is presenting on Preserving the Trial Record for Appellate Review and Post-Conviction Relief at the Public Defense 101 conference on November 21, 2023, in Columbia. On October 24, 2023, Counsel presented oral argument at Furman University in the case of The State v. Gregg Pickrell before 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. On September 13, 2023, Counsel presented oral argument in the case of The State v. Robert X. Geter in the Supreme Court. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

4. Counsel makes this request in good faith and not for purpose 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.

5. 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 20, 2023, until December 20, 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,



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 20th day of November, 2023.

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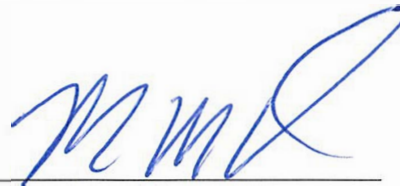
MARTEL DEKARLOS GADDIS,

APPELLANT.

APPELLATE CASE NO. 2022-000553

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 November, 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 - Fourth Motion for Extension
Date: Monday, November 20, 2023 8:36:00 AM
Attachments: [2022-000553 The State v. Martel Dekarlos Gaddis - Fourth Motion for Extension.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Fourth Motion for Extension in which to serve and file the initial brief of appellant and designation of matter. This extension will be filed today, November 20, 2023, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

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