

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Sumter County

George M. McFadden, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CELIA WINDHAM,

APPELLANT

APPELLATE CASE NO. 2023-000283

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

Counsel for Celia Windham respectfully requests a **fourth and final thirty (30) day extension from December 6, 2023, until January 5, 2024**, 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 Celia Windham 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.

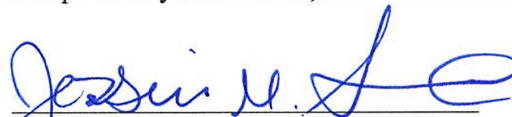
3. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Anthony M. Wise v. The State with the Supreme Court on December 6, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Michael Kelley v. The State with the Supreme Court on November 27, 2023. Counsel had an oral argument in the case of George N. Moses v. The State before the Court of Appeals on November 11, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jodi Stapleton v. The State with the Supreme Court on October 16, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Douglas S. Turner with the Court of Appeals on October 5, 2023. Counsel filed the Brief of Petitioner in the case of Holly Jo Thompson v. The State with the Court of Appeals on September 28, 2023. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State v. Rishard Lewis Geter with the Court of Appeals on September 22, 2023.

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 December 4, 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 December 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from December 6, 2023, until January 5, 2024**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

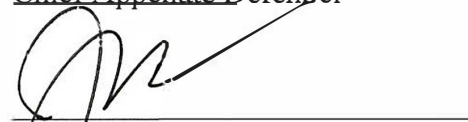
Respectfully submitted,



Jessica M. Saxon
Appellate Defender



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 6th day of December, 2023.

RECEIVED

Dec 06 2023

SC Court of Appeals

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APPELLATE CASE NO. 2023-000283

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 6th day of December, 2023.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [Mark Farthing](#); [Grace Sommer](#)
Cc: [Saxon, Jessica](#)
Subject: 2023-000283 The State v. Celia Windham - Fourth Motion for Extension
Date: Wednesday, December 6, 2023 10:06:00 AM
Attachments: [2023-000283 The State v. Celia Windham - Fourth Motion for Extension.pdf](#)

Mr. Farthing,

Please find attached for service the 4th Request for Extension for Initial Brief of Appellant and Designation of Matter for Celia Windham's appeal which will be filed today with the Court of Appeals.

Thank you.

Chris

Chris Stock
Administrative Assistant
Commission on Indigent Defense
Appellate Division
(803) 734-1330