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Jan 08 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CLAYTON THOMAS JONES,

APPELLANT

APPELLATE CASE NO. 2022-001775

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

Counsel for Clayton Thomas Jones respectfully requests a **fourth and final thirty (30) day extension until February 7, 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 Clayton Thomas Jones 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. On December 21, 2023, counsel filed the petition for writ of certiorari to the Court of Appeals in James Carrier v. The State with the Supreme Court. On December 20, 2023, counsel filed the petition for writ of certiorari, petition for writ of certiorari pursuant to Austin v. State, and accompanying appendix in Tara Weber v. The State with the Supreme Court. On December 11, 2023, counsel filed the petition for writ of certiorari and accompanying appendix in Jacory Foster v. The State with the Supreme Court. On December 6, 2023, counsel had an oral argument in Rodney Bryan v. The State before the Court of Appeals. On December 6, 2023, counsel filed the initial brief of appellant and designation of matter in The State v. Raheem Grant with the Court of Appeals. On November 27, 2023, counsel filed the brief of petitioner in The State v. Nyquan Brown with the Supreme Court. On November 16, 2023, counsel, along with co-counsel, filed a petition for writ of certiorari in State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court. On November 15, 2023, counsel had an oral argument in The State v. Montrelle Campbell before the Supreme Court. On November 9, 2023, counsel filed the petition for rehearing in James Carrier v. The State with the Court of Appeals.

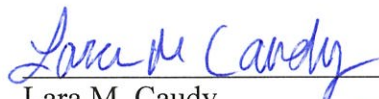
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On January 2, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy

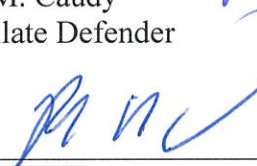
Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until February 7, 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.

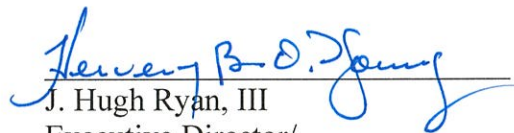
Respectfully submitted,



Lara M. Caudy
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 8th day of January, 2024.

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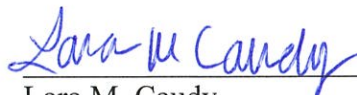
CLAYTON THOMAS JONES,

APPELLANT

APPELLATE CASE NO. 2022-001775

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 8th day of January, 2024.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: [Mark Farthing](#)
Cc: [Caudy, Lara](#); ccollins@scaq.gov
Subject: 2022-001775 The State v. Clayton Jones
Date: Monday, January 8, 2024 10:06:00 AM
Attachments: [2022-001775 The State v. Clayton Jones Extension 4.pdf](#)

Good Morning Mr. Farthing,

Please find attached for service in the above case the fourth motion for an extension of time to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This request will be filed with the Court of Appeals today, January 8, 2024, via email filing.

Thank you!

Sara McInnis

Administrative Assistant

South Carolina Commission on Indigent Defense

Appellate Division

(803) 734-1330