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Jan 19 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Clifton Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MARTIN DIXON,

APPELLANT

APPELLATE CASE NO. 2023-000597

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

Counsel for Martin Dixon respectfully requests a **fourth and final thirty (30) day extension from January 19, 2024 until February 20, 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 Martin Dixon 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 filed the Petition for Rehearing in the case of The State v. Carnie Norris with this Court on January 4, 2024. Counsel filed the Initial Reply Brief of Appellant and Designation of Matter in the case of The State v. Candie M. Shearin with this Court on December 27, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jakavis Green with this Court on December 27, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Ronald Duyane Davis v. The State with the Supreme Court on December 27, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Victoria C. Threatt with this Court on December 20, 2023. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Nyasia Marie Grant with this Court on December 15, 2023. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Robert L. O'Shields v. The State with the Supreme Court on December 7, 2023.

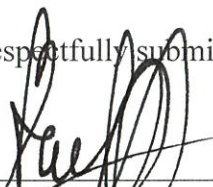
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On 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

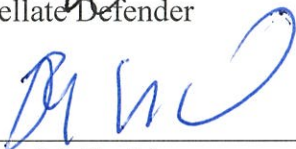
Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from January 19, 2024 until February 20, 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.

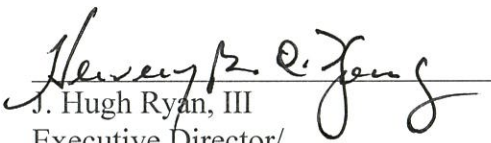
Respectfully submitted,



Gary H. Johnson
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 19th day of January, 2024.

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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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of January, 2024.



Gary H. Johnson
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [Mark Farthing](#)
Cc: [Johnson, Gary](#); [Caroline Collins](#)
Subject: 2023-000597 The State v. Martin Dixon
Date: Friday, January 19, 2024 9:20:00 AM
Attachments: [2023-000597 The State v. Martin Dixon Fourth Motion for Extension and COS.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension which will be filed today, January 19, 2024, with the Court of Appeals via email filing,

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330