

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Fairfield County

Brian M. Gibbons, Circuit Court Judge

RECEIVED

Mar 11 2024

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CARLOS ALEJANDRO CESMAS-GOMEZ,

APPELLANT

APPELLATE CASE NO. 2023-001192

**MOTION TO FILE EXTENSION
OUT OF TIME**

Counsel David Alexander respectfully requests leave under Rule 263(b) in which to file the second extension in this case out of time. In support of this request, counsel shows:

- (1) The Extension was due to be served and filed with this Court on February 28, 2024.
- (2) However, due to administrative error, the extension was not timely filed. Upon learning about the error, counsel acted immediately to prepare the extension and file it with this Court along with this Motion.
- (3) Counsel makes this request in good faith and not for purposes of delay.

(4) Opposing counsel, the Attorney General's Office, has graciously consented to this request by way of the thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for Appellate Defense through March 31, 2024.

That emailed general consent was dated February 28, 2024.

WHEREFORE, counsel for Appellant respectfully requests the Court accept this extension as filed out of time.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

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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 to File Extension Out of Time has been served upon Mark Farthing, Esquire, this 11th day of March, 2024, at the primary e-mail address as listed in the Attorney Information System (AIS).



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT