

RECEIVED

Mar 28 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Fairfield County

Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CARLOS ALEJANDRO CESMAS-GOMEZ,

APPELLANT

APPELLATE CASE NO. 2023-001192

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

Counsel for Carlos Alejandro Cesmas-Gomez respectfully requests a thirty (30) day extension from March 29, 2024, until April 29, 2024, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.
2. Counsel filed the Brief of Appellant in the case of The State v. Thomas S. McFadden with this Court on March 14, 2024. Counsel filed the Brief of Petitioner in the case

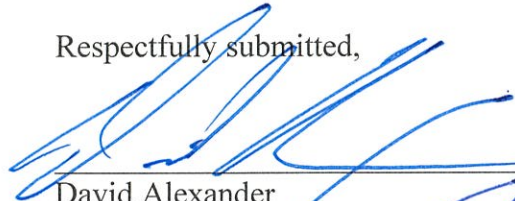
of The State v. Rashawn Vertez Carter with the Supreme Court on February 20, 2024. Along with Chief Appellate Defender Robert M. Dudek and co-counsel Lara M. Caudy, Counsel filed the Reply in Support of Petition for a Writ of Certiorari in the case of The State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court on February 2, 2024. Counsel filed the Brief of Appellant in the case of In the Matter of the Care and Treatment of Merrilld Stewart with this Court on February 1, 2024. Counsel filed the Reply in Support of Petition for a Writ of Certiorari in the case of State of South Carolina v. Mary Ann German with the United States Supreme Court on January 30, 2024. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Joey C. Reid with the Supreme Court on January 26, 2024. Counsel filed the brief of appellant in the case of The State v. Matthew Hogan with this Court on January 16, 2024.

3. This request is made in good faith, and not for purposes 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.

4. On February 28, 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 March 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from March 29, 2024, until April 29, 2024. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 29th day of March, 2024.

RECEIVED

Mar 28 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Fairfield County

Honorable Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CARLOS ALEJANDRO CESMAS-GOMEZ,

APPELLANT

APPELLATE CASE NO. 2023-001192

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 29th day of March, 2024.



David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [Mark Farthing](#); [Caroline Collins](#)
Cc: [Alexander, David](#)
Subject: 2023-001192 The State v. Carlos Cesmas-Gomez - Third Motion for Extension
Date: Thursday, March 28, 2024 11:04:00 AM
Attachments: [2023-001192 The State v. Carlos Alejandro Cesmas-Gomez - Third Motion for Extension.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Third Motion for Extension in which to serve and file the Initial Brief of Appellant and Designation of Matter. This extension will be filed today, March 28, 2024, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
PO Box 11589
Columbia, SC 29201-1589
(803) 734-1330 – Telephone
(803) 734-1397 - Fax