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Mar 29 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TREVOR ANTHONY IRVIN,

APPELLANT

APPELLATE CASE NO. 2023-001075

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

Counsel for Trevor Anthony Irvin respectfully requests a thirty (30) day extension 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. On March 27, 2024, counsel filed the petition for writ of certiorari and accompanying appendix in Mark Earls v. The State with the Supreme Court. On March 21, 2024, counsel filed the brief of appellant, designation of matter, and record on appeal in The

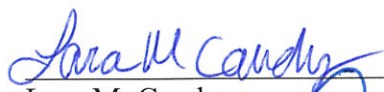
State v. Fernando Wright with the Court of Appeals. On March 18, 2024, counsel filed the initial brief of respondent and designation of matter in The State v. Juan Manuel Ramirez Sandoval with the Court of Appeals. On March 14, 2024, counsel filed the return to the petition for writ of certiorari in Gabriel Rios v. The State with the Supreme Court. On March 8, 2024, counsel filed the petition for writ of certiorari, brief of appellant pursuant to White v. State, and accompanying appendix in Anthony Sanders v. The State with the Supreme Court. On March 1, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Randy Dean Grainger with the Court of Appeals. On February 20, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. JeJauncey Harrington with the Court of Appeals. On February 2, 2024, counsel, along with co-counsel, filed a reply in State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court.

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. 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,



Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 29th day of March, 2024.

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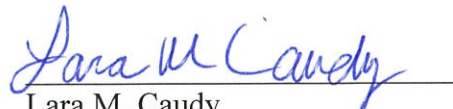
TREVOR ANTHONY IRVIN,

APPELLANT

APPELLATE CASE NO. 2023-001075

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 29th day of March, 2024.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: mbrown@scag.gov
Cc: abennett@scag.gov; [Caudy, Lara](#)
Subject: 2023-001075 The State v. Trevor Irvin Extension 3
Date: Friday, March 29, 2024 8:57:00 AM
Attachments: [2023-001075 The State v. Trevor Irvin Extension 3.pdf](#)

Good Morning Ms. Brown,

Please find attached for service in the above-referenced case the third motion for an extension of time to file the Initial Brief of Appellant and Designation of Matter, which will be filed with the Court of Appeals today, March 29, 2024, via email filing.

Thank you!

Sara McInnis

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
(803) 734-1330