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Apr 12 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Anderson County

R. Lawton McIntosh, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

LAKEITHSHA MECHELLE FOWLER,

APPELLANT

APPELLATE CASE NO. 2023-001557

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

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Counsel for Lakeithsha M. Fowler respectfully requests a **fourth and final thirty (30) day extension from April 12, 2024, until May 13, 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 Lakeithsha M. Fowler 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. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jabari Moore v. State with the Supreme Court on April 11, 2024. Counsel filed the Petition for Writ of Certiorari, Brief of Appellant Pursuant to White v. State, and Appendix in the case of Robert Lee Reddock v. State with the Supreme Court on March 27, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Samuel T. Riser with the Court of Appeals on March 19, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Timothy C. Turbeville v. State with the Supreme Court on February 23, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Charles E. Price with the Court of Appeals on February 23, 2024. Counsel filed the Anders Brief of Appellant, Designation of Matter, and Record on Appeal in the case of The State v. Robert A. Carter with the Court of Appeals on February 9, 2024.

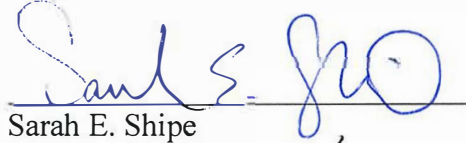
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On March 29, 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 April 30, 2024.

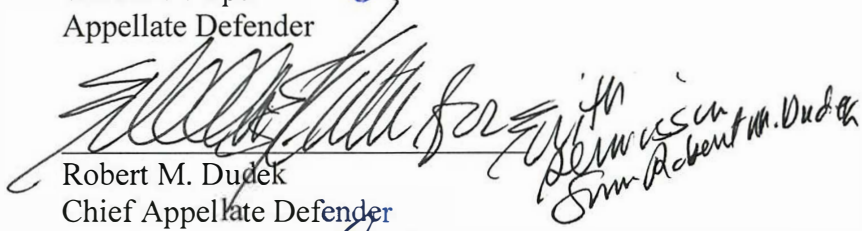
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from April 12, 2024, until May 13, 2024**, in which to serve and file

the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,

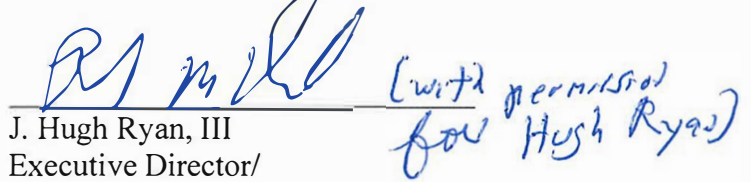


Sarah E. Shipe  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

*with permission from Robert M. Dudek*



J. Hugh Ryan, III  
Executive Director/  
Hervey B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training Director

*(with permission for Hugh Ryan)*

This 12th day of April, 2024.

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LAKEITHSHA MECHELLE FOWLER,

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APPELLATE CASE NO. 2023-001557  
\_\_\_\_\_

CERTIFICATE OF SERVICE  
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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 12th day of April, 2024.

  
\_\_\_\_\_  
Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Mcinnis, Sara](#)  
**To:** [Mark Farthing](#)  
**Cc:** [Shipe, Sarah](#); [ccollins@scag.gov](mailto:ccollins@scag.gov)  
**Subject:** 2023-001557 The State v. Lakeithsha Fowler Extension 4  
**Date:** Friday, April 12, 2024 10:40:00 AM  
**Attachments:** [2023-001557 The State v. Lakeithsha Fowler Extension 4.pdf](#)

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Good Morning Mr. Farthing,

Please find attached for service in the above-referenced case the fourth motion for an extension of time to file the Initial Brief of Appellant and Designation of Matter. This motion will be filed with the Court of Appeals today, April 12, 2024, via email filing.

Thank you!

**Sara McInnis**

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