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Apr 17 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenville County  
G.D. Morgan, Jr., Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

TOMMY L. LONG,

APPELLANT

APPELLATE CASE NO. 2023-001183

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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 Tommy L. Long respectfully requests a **fourth and final thirty (30) day extension from April 17, 2024, until May 17, 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 Tommy L. Long 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.

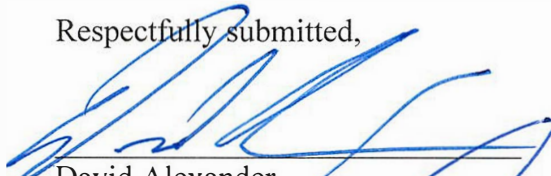
3. Counsel is filing the Return to Petition for Writ of Certiorari in the case of Tyreek Hayes v. The State with the Supreme Court today, April 17, 2024. Counsel filed the Brief of Appellant in the case of In the Matter of Christopher T. Wilder with this Court on April 3, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Daryl L. Sutton v. The State with the Supreme Court on April 1, 2024. 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.

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 17, 2024, until May 17, 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,



David Alexander  
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 17th day of April, 2024.

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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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 17th day of April, 2024.



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David Alexander  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Pollard, Shelby](#)  
**To:** [SC - BROWN MELODY; Angela Brown](#)  
**Cc:** [David Alexander \(dalexander@sccid.sc.gov\)](mailto:dalexander@sccid.sc.gov)  
**Subject:** 2023-001183 The State v. Tommy L. Long - Fourth Motion for Extension  
**Date:** Wednesday, April 17, 2024 10:26:00 AM  
**Attachments:** [2023-001183 The State v. Tommy L. Long - Fourth Motion for Extension.pdf](#)

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Good Morning,

Please find attached for service in the above-referenced case the Fourth Motion for Extension in which to serve and file the initial brief of appellant and designation of matter. This extension will be filed today, April 17, 2024, with the Court of Appeals via email filing.

Thank you,  
Shelby

**Shelby Pollard**

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South Carolina Commission on Indigent Defense  
Appellate Division  
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