

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

**May 15 2024**

**SC Court of Appeals**

Appeal from Horry County

J. Mark Hayes, Circuit Court Judge

THE STATE,

APPELLANT,

V.

ANIJAH YARNELL,

RESPONDENT

APPELLATE CASE NO. 2023-000571

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

Counsel for Anijah Yarnell respectfully requests a thirty (30) day extension from May 15, 2024, until June 14, 2024, in which to serve and file the Initial Brief of Respondent 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 Respondent 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. Freddy Ray Harris with this Court on May 9, 2024. Counsel filed the Initial Brief of Appellant and Designation of

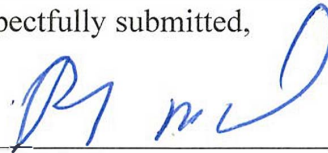
Matter in the case of The State v. Mason Yarborough with this Court on May 1, 2024. Counsel filed the Petition for Rehearing in the case of The State v. Shana Robinson with this Court on April 25, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Raymond Martinez with this Court on April 17, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Douglas Young v. The State with the Supreme Court on April 3, 2024. On March 12, 2024, Counsel presented oral argument in the case of Victor D. Smith v. The State before this Court. Counsel filed the Brief of Appellant in the case of The State v. John A. Welch with this Court on March 5, 2024. Counsel filed the Motion for Stay of Execution and Appointment of Post-Conviction Relief Judge in the case of The State v. Timothy Ray Jones, Jr. with the Supreme Court on March 5, 2024. Counsel was a presenter at the S.C. Bar Criminal Practice CLE on February 23, 2024, in Columbia, South Carolina. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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 April 30, 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 May 31, 2024.

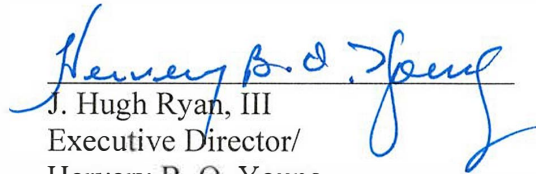
WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from May 15, 2024, until June 14, 2024. Counsel respectfully requests that the time limits for filing the Initial Brief of Respondent and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender



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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 15th day of May, 2024.

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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 for Extension in the above-referenced case has been served upon Julianna E. Battenfield, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 15th day of May, 2024.



Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT