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Jul 01 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable Alex Kinlaw, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIAM MCKINNEY,

APPELLANT.

APPELLATE CASE NO. 2023-001692

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

Counsel for appellant 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. Counsel filed the Johnson Petition for Writ of Certiorari and accompanying appendix in the case of Jacoby Fields v. State with the Supreme Court on June 28, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert B.

Neeley with the Court of Appeals on June 25, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio Jordan v. State with the Supreme Court on June 10, 2024. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Detavious Lamon Cunningham with the Court of Appeals on June 3, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antonio Bethel with the Court of Appeals on May 22, 2024. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Sean James v. State with the Supreme Court and the Court of Appeals on May 20, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John D. Cook v. State with the Supreme Court on May 13, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ricky L. Singer with the Court of Appeals on May 8, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Williston Owens with the Court of Appeals on May 3, 2024. Counsel had an oral argument in the case of State v. Devin Jamel Johnson before the Supreme Court on May 2, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Toatley with the Court of Appeals on April 25, 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 June 26, 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 July 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Breen R. Stevens
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 1st day of July, 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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 1st day of July, 2024.



Breen R. Stevens
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: [SC - BROWN MELODY](#)
Cc: [SC - BROWN ANGELA](#); [Breen Stevens](#)
Subject: William McKinney - Extension 4 - Appellate Case No. 2023-001692
Date: Monday, July 1, 2024 9:29:00 AM
Attachments: [William McKinney - Extension 4 - Appellate Case No. 2023-001692.pdf](#)

Dear Ms. Brown,

Attached please find a copy of the fourth extension in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Breen Stevens
Appellate Defense