

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

Benjamin H. Culbertson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TRAVONTAE J. MITCHELL,

APPELLANT

APPELLATE CASE NO. 2023-001323

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

Counsel for Travontae J. Mitchell respectfully requests a **fifth and final seven (7) day extension from July 10, 2024 until July 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 fifth 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 Travontae J. Mitchell 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 is working on this brief and intends to file it on or before July 17, 2024. **Counsel will file this brief before July 17, 2024, if possible.** Counsel filed the Petition for Writ of Certiorari, the Brief of Appellant Pursuant to *White v. State*, and the Appendix in the case of Gerald Akeem Gadsden v. The State with the Supreme Court on July 8, 2024. Counsel filed the Brief of Petitioner in the case of Maurice Roberts v. The State with this Court on June 27, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Morgan Dayle Carr with this Court on June 21, 2024. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Brittnay C. Foster v. The State with the Supreme Court on June 3, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Montre D. Brown v. The State with the Supreme Court on May 31, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Marcus D. Batson with this Court on May 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Antonio Long with this Court on May 17, 2024. Counsel filed the Return to Petition for Writ of Certiorari in the case of Storm R. B. McCarthy v. The State with the Supreme Court on May 14, 2024. Counsel filed the Memorandum Addressing S.C. Code § 23-3-436 in the case of In the Interest of Khalid J., A Juvenile Under the Age of Seventeen with this Court on May 9, 2024. Counsel appeared for Oral Argument in the case of Michael Christian Barclay v. The State before this Court on May 8, 2024.

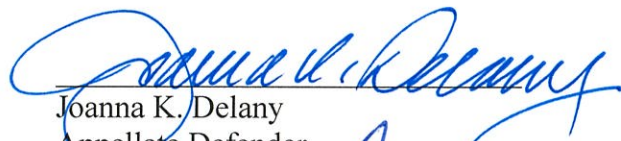
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be

requested.

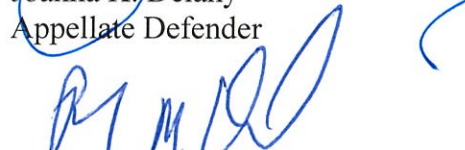
5. On June 26, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fifth and final seven (7) day extension from July 10, 2024 until July 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.

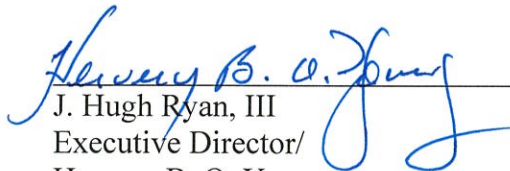
Respectfully submitted,



Joanna K. Delany
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 10th day of July, 2024.

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Jul 10 2024

SC Court of Appeals

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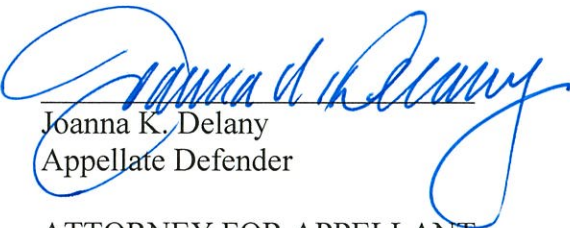
TRAVONTAE J. MITCHELL,

APPELLANT

APPELLATE CASE NO. 2023-001323

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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 10th day of July, 2024.


Joanna K. Delany
Appellate Defender
ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [Mark Farthing](#)
Cc: [Delany, Joanna](#); [Caroline Collins](#)
Subject: 2023-001323 The State v. Travontae J. Mitchell
Date: Wednesday, July 10, 2024 9:08:00 AM
Attachments: [2023-001323 The State v. Travontae J. Mitchell Fifth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fifth Motion for Extension which will be filed today, July 10, 2024, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330