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Jul 24 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Clifton Newman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ANTONIO VASHON BARNES, JR.

APPELLANT

APPELLATE CASE NO. 2023-001390

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

Counsel for Antonio Vashon Barnes respectfully requests a **fourth and final thirty (30) day extension until August 23, 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 Antonio Vashon Barnes 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.

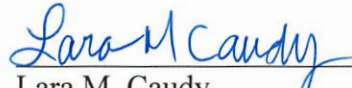
3. On July 17, 2024, counsel filed the petition for rehearing in The State v. Paulette Sims with the Court of Appeals. On July 16, 2024, counsel represented the applicant at his PCR hearing in Artrell Hickson v. The State before the circuit court. On July 12, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Che Ransom with the Court of Appeals. On July 11, 2024, counsel filed the petition for rehearing in Michael Orlando Brown v. The State with the Court of Appeals. On July 10, 2024, counsel filed the brief of appellant and designation of matter in The State v. Marquis Brown with the Court of Appeals. On July 3, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Jasmine Robinson with the Court of Appeals. On June 19, 2024, counsel had an oral argument in The State v. Nyquan Brown before the Supreme Court.

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.

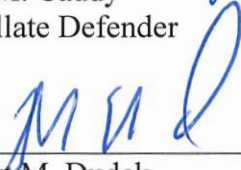
5. On June 26, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until August 23, 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.

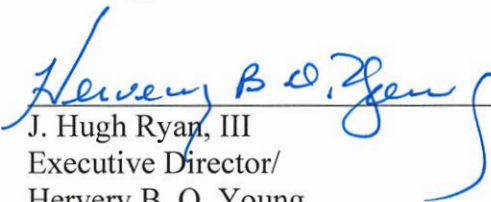
Respectfully submitted,



Lara M. Caudy
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 24th 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 24th day of July, 2024.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: mbrown@scag.gov
Cc: abennett@scag.gov; [Caudy, Lara](#)
Subject: 2023-001390 The State v. Antonio V. Barnes Jr. Extension 4
Date: Wednesday, July 24, 2024 8:59:00 AM
Attachments: [2023-001390 The State v. Antonio Barnes Extension 4.pdf](#)

Good Morning Ms. Brown,

Please find attached for service in the above-referenced case the fourth motion for an extension of time to serve and file the initial brief of appellant and designation of matter. This motion will be filed with the Court of Appeals today, July 24, 2024, via email filing.

Thank you!

Sara McInnis

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