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Jul 29 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Jennifer B. McCoy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES D. MAJOR,

APPELLANT

APPELLATE CASE NO. 2023-001076

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

Counsel for James D. Major respectfully requests a **fourth and final thirty (30) day extension from July 29, 2024, until August 28, 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 James D. Major 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 filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Samuel Campbell v. The State with the Supreme Court on July 19, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Kendell A. Gamble v. The State with the Supreme Court on July 19, 2024. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. Rekeem L. Ware with the Court of Appeals on July 12, 2024. Counsel filed the Reply Brief of Appellant in the case of The State v. Celia Windham with the Court of Appeals on July 1, 2024. Counsel filed the Reply Brief of Appellant in the case of The State v. Lillian Mae Bates with the Court of Appeals on June 24, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Larenzoe Epps v. The State with the Supreme Court on June 20, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Sterling Maybin v. The State with the Supreme Court on June 6, 2024. Counsel had an oral argument in the case of Justin Cone v. The State before the Supreme Court on May 23, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Derrick Dupree v. The State with the Supreme Court on May 22, 2024. Counsel filed the Return to Petition for Rehearing in the case of Devatee Tymar Clinton v. The State with the Court of Appeals on May 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.

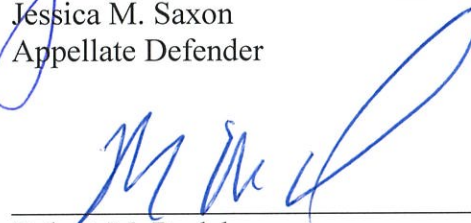
5. On June 26, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through July 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from July 29, 2024, until August 28, 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.

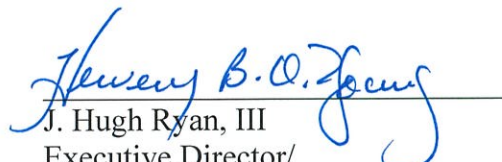
Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 29th day of July, 2024.

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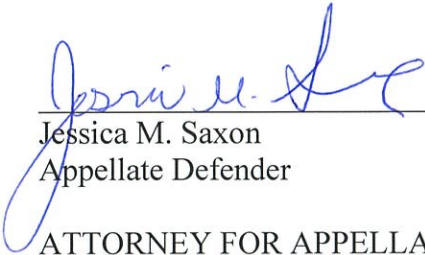
JAMES D. MAJOR,

APPELLANT

APPELLATE CASE NO. 2023-001076

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 R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 29th day of July, 2024.



Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Monday, July 29, 2024 10:05 AM
To: SC - FARTHING MARK
Cc: SC - COLLINS CAROLINE; Saxon, Jessica; Stock, Chris
Subject: Major, James - 4th Extension for Brief and Designation - 2023-001076
Attachments: Major, James - 4th Extension for Brief and Designation - 2023-001076.pdf

Dear Mr. Farthing,

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 Jessica Saxon
Appellate Defense