

**RECEIVED**  
**Aug 23 2024**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Spartanburg County

Honorable J. Derham Cole, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

FRANCISCO MALDANADO-MOLINA,

APPELLANT

APPELLATE CASE NO. 2023-001995

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

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The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

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 petition for writ of certiorari to the Court of Appeals in the case of The State v. Wendy Michelle Green with the Supreme Court on August 16, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Cortez Whitener with the Court of Appeals on July 30, 2024. Counsel filed the petition for rehearing in

the case of The State v. Alexander Rhue, Jr. with the Court of Appeals on July 29, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ernest Floyd Jackson II v. The State with the Supreme Court on July 25, 2024. Counsel filed the Austin petition for writ of certiorari in the case of Ernest Floyd Jackson II v. The State with the Supreme Court on July 25, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Benjamin Dubois with the Court of Appeals on July 19, 2024. Counsel filed the petition for rehearing in the case of The State v. Wendy Michelle Green with the Court of Appeals on July 15, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dalonte Green v. The State with the Supreme Court on July 2, 2024. Counsel filed the return in opposition to motion to strike in the case of Maurio D. Rivers v. The State with the Court of Appeals on June 27, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurice Mitchell v. The State with the Supreme Court on June 12, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Don Leequin Brown with the Court of Appeals on June 12, 2024.

3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2024. That emailed general consent was dated July 29, 2024.

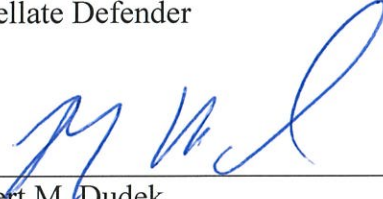
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Kathrine H. Hudgins  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 23<sup>rd</sup> day of August, 2024.

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the motion for extension of time to file initial brief of appellant and designation of matter 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 23<sup>rd</sup> day of August, 2024.



Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [SC - BROWN MELODY; Angela Brown](#)  
**Cc:** [Hudgins, Kathrine](#)  
**Subject:** 2023-001995 - Maldonado-Malina, F. - 3rd Request for Extension for Initial Brief of Appellant  
**Date:** Friday, August 23, 2024 9:57:00 AM  
**Attachments:** [2023-001995 - Maldonado-Malina, F. - 3rd Request for Extension for Initial Brief of Appellant.pdf](#)

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Ms. Brown,

Please find attached for service the 3<sup>rd</sup> Request for Extension for Initial Brief of Appellant and Designation of Matter for Francisco Maldonado-Molina's appeal which will be filed today with the Court of Appeals.

Thank you.  
Chris

**Chris Stock**  
Administrative Assistant  
Commission on Indigent Defense  
Appellate Division  
(803) 734-1330