

RECEIVED

Aug 23 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Richland County

Honorable Clifton Newman, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

ANTONIO VASHON BARNES, JR.

APPELLANT

APPELLATE CASE NO. 2023-001390

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

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Counsel for Antonio Vashon Barnes respectfully requests a **final extension of ten business days until September 9, 2024**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above referenced case. **Counsel regrets having to request this extension and will make every effort to file the brief prior to the deadline.** 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. The Court has granted counsel four previous extensions. **Counsel understands that a fifth extension is strongly disfavored.**

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 August 22, 2024, counsel filed the return to the petition for rehearing in In the Matter of the Care and Treatment of Andy Eugene Hyman with the Court of Appeals. On August 21, 2024, counsel filed the brief of appellant, designation of matter, and record on appeal in The State v. Seuvarrggio Rector with the Court of Appeals. On July 25, 2024, counsel filed the return to the petition for writ of certiorari to the Court of Appeals in The State v. Mark Hailey with the Supreme Court. On July 24, 2024, counsel filed the petition for writ of certiorari and accompanying appendix in Corina Castro v. The State with the Supreme Court. 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.

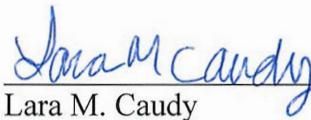
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will hopefully become more manageable in the near future, and less extensions will

need to be requested.

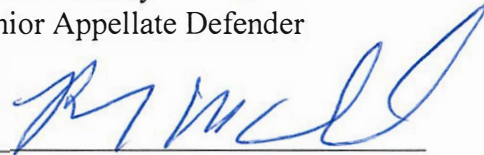
5. On July 29, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final extension of ten business days until September 9, 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,

  
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Lara M. Caudy

Senior Appellate Defender

  
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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 23rd 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 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 23rd day of August, 2024.



Lara M. Caudy  
Senior Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Mcinnis, Sara](#)  
**To:** [mbrown@scag.gov](mailto:mbrown@scag.gov)  
**Cc:** [abennett@scag.gov](mailto:abennett@scag.gov); [Caudy, Lara](#)  
**Subject:** 2023-001390 The State v. Antonio V. Barnes Extension 5  
**Date:** Friday, August 23, 2024 9:51:00 AM  
**Attachments:** [2023-001390 The State v. Antonio V. Barnes Extension 5.pdf](#)

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Good Morning Ms. Brown,

Please find attached for service in the above-referenced case the fifth 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, August 23, 2024, via email filing.

Thank you,

**Sara McInnis**

Administrative Assistant

South Carolina Commission on Indigent Defense

Appellate Division

(803) 734-1330