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Sep 04 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Jennifer B. McCoy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DESMOND LAMAR GREEN,

APPELLANT

APPELLATE CASE NO. 2024-000119

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

Counsel for Desmond Lamar Green respectfully requests a **fourth and final thirty (30) day extension from September 4, 2024, until October 4, 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 Desmond Lamar Green 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Brief of Appellant and Designation of Matter in the case of The State v. Dameun Sanders with this Court on August 27, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jason Bell with this Court on August 12, 2024. Counsel filed the Brief of Respondent in the case of The State v. Jason Black with this Court on July 31, 2024. Counsel filed the Petition for Rehearing in the case of In the Matter of James G. Younger with this Court on July 18, 2024. Counsel filed the Brief of Appellant in the case of The State v. Xavier Polite with this Court on July 17, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Phillip Lawson with this Court on July 3, 2024. Counsel was a speaker at the Case Law Update CLE on June 21, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Alonza Marable with this Court on June 21, 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 August 30, 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 September 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from September 4, 2024, until October 4, 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.

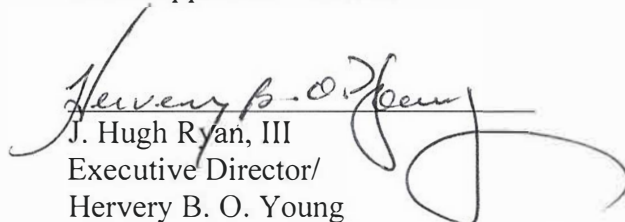
Respectfully submitted,



David Alexander
Dep. Chief Attorney for Capital Appeals



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 4th day of September, 2024.

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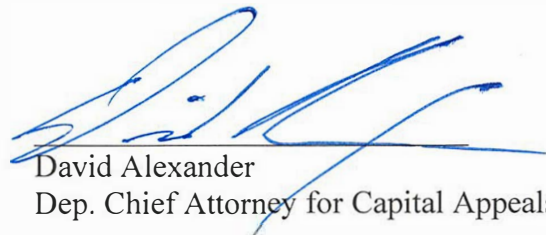
DESMOND LAMAR GREEN,

APPELLANT

APPELLATE CASE NO. 2024-000119

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 4th day of September, 2024.



David Alexander
Dep. Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT

From: [Pollard, Shelby](#)
To: [Mark Farthing](#); [Caroline Collins](#)
Cc: [Alexander, David](#)
Subject: 2024-000119 The State v. Desmond Lamar Green - Fourth Motion for Extension
Date: Wednesday, September 4, 2024 10:52:00 AM
Attachments: [2024-000119 The State v. Desmond L. Green - Fourth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension in which to serve and file the initial brief of appellant and designation of matter. This extension will be filed today, September 4, 2024, with the Court of Appeals via email filing.

Thank you,
Shelby

Shelby Pollard

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Appellate Division
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