

RECEIVED

Sep 11 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Cherokee County

R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CHRISTOPHER CHAD DUNCAN,

APPELLANT

APPELLATE CASE NO. 2023-001988

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

Counsel for Christopher Chad Duncan respectfully requests a **fifth and final fourteen (14) business day extension from September 11, 2024 until October 1, 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 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.
2. Counsel for Christopher Chad Duncan 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 appeared for Oral Argument in the cases of The State v. Bowen Gray Turner (In re: Victim C.B., Appellant.) (2022-000472) and The State v. Bowen Gray Turner (2022-001018) before this Court yesterday, September 10, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Eddie L. Bass, III v. The State with the Supreme Court on September 6, 2024. Counsel filed the Return to Motion to Supplement the Record on Appeal in the case of The State v. Anthony Nicholas Argoe with the Court of Appeals on August 30, 2024. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Terry Donial Woods, Jr. with the Court of Appeals on August 28, 2024. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Aaron Sincere Hood with this Court on August 12, 2024. Counsel filed the Brief of Appellant and the Record on Appeal in the murder case of The State v. Timothy J. McKinney with this Court on August 2, 2024. Counsel appeared via WebEx for a post-conviction relief evidentiary hearing in the case of Jonathan C. Newman v. The State on July 25, 2024. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Randy E. Self with this Court on July 24, 2024. Counsel filed the Initial Brief of Respondent in the case of The State v. Anijah Yarnell with this Court on July 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Antonio Anderson with this Court on July 12, 2024. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

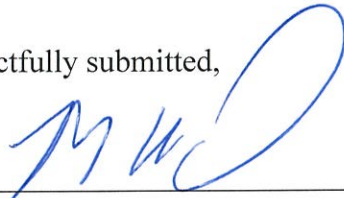
4. Counsel makes this request in good faith and not for purpose of delay. Counsel

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.

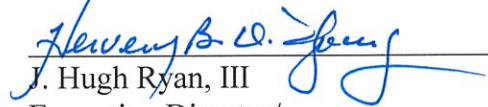
5. On August 30, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **fifth and final fourteen (14) business day extension from September 11, 2024 until October 1, 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,



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 11th day of September, 2024.

RECEIVED

Sep 11 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Cherokee County

Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

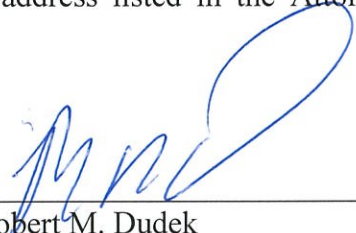
CHRISTOPHER CHAD DUNCAN,

APPELLANT

APPELLATE CASE NO. 2023-001988

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 11th day of September, 2024.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [SC - BROWN MELODY](#)
Cc: [Dudek, Robert](#); [Angela Brown](#)
Subject: 2023-001988 The State v. Chad Christopher Duncan
Date: Wednesday, September 11, 2024 9:55:00 AM
Attachments: [2023-001988 The State v. Chad Christopher Duncan Fifth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fifth Motion for Extension which will be filed today, September 11, 2024, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330