

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

B. Alex Hyman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

STEPHEN D. O'HARA,

APPELLANT

APPELLATE CASE NO. 2024-000097

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

Counsel for Stephen D. O'Hara respectfully requests a **fourth and final thirty (30) day extension from September 11, 2024 until October 11, 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 Stephen D. O'Hara 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 case of The State v. Bowen Gray Turner (In re: Victim C.B., Appellant.) 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 was a faculty trainer specializing in preserving trial errors for appellate review at the PD 103 CLE seminar at the Greenville County Courthouse from July 1-3, 2024. Counsel filed the three-issue Petition for Writ of Certiorari and the Appendix in the case of Christopher Moore v. The State with the Supreme Court on June 28, 2024. **Counsel also has**

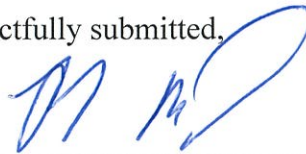
extensive administrative duties as the Chief Appellate Defender.

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 **fourth and final thirty (30) day extension from September 11, 2024 until October 11, 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.

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SC Court of Appeals

STATE OF SOUTH CAROLINA

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Appeal from Horry County

Honorable B. Alex Hyman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

STEPHEN D. O'HARA,

APPELLANT

APPELLATE CASE NO. 2024-000097

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 11th day of September, 2024.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [Mark Farthing](#)
Cc: [Dudek, Robert](#); [Caroline Collins](#)
Subject: 2024-000097 The State v. Stephen D. O'Hara
Date: Wednesday, September 11, 2024 9:47:00 AM
Attachments: [2024-000097 The State v. Stephen D. O'Hara Fourth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth 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