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Sep 23 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

FRANCISCO MALDANADO-MOLINA,

APPELLANT

APPELLATE CASE NO. 2023-001995

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

Counsel for Francisco Maldonado-Molina, respectfully requests a **fourth and final thirty (30) day extension from September 23, 2024, until October 23, 2024**, in which to serve and file the initial brief of appellant and designation of matter in the above-referenced case. 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 on September 23, 2024.
2. Counsel for Francisco Maldonado-Molina respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel had an oral argument in the case of The State v. Terrell Denard Knightner

before the Supreme Court in Charleston, SC on September 11, 2024. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Micah Pressley with the Court of Appeals on September 11, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of J'Quan Marquel Scott v. The State with the Supreme Court on August 28, 2024. 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.

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

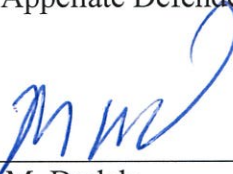
5. On August 30, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2024.

WHEREFORE, the undersigned counsel respectfully requests a **fourth and final thirty (30) day extension from September 23, 2024, until October 23, 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. 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,



Kathrine H. Hudgins
Senior Appellate Defender



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 September, 2024.

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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 of time to serve and file the 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 23rd day of September, 2024.



Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Hudgins, Kathrine](#)
Subject: Maldonado-Malina, F. - 4th Request for Extension for Initial Brief of Appellant - 2023-001995
Date: Monday, September 23, 2024 8:51:00 AM
Attachments: [Maldonado-Malina, F. - 4th Request for Extension for Initial Brief of Appellant - 2023-001995.pdf](#)

Ms. Brown,

Please find attached for service the 4th 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