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Sep 23 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Charleston County

Honorable Deadra L. Jefferson, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

TOYA DANIELLE STEWARD,

APPELLANT

APPELLATE CASE NO. 2024-000331

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

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The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

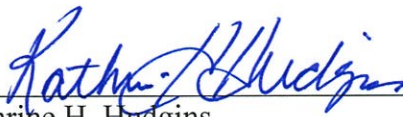
1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel had an oral argument in the case of The State v. Terrell Denard Knightner before the Supreme Court in Charleston, SC on September 11, 2024. Counsel filed the initial brief of appellant 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.

3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2024. That emailed general consent was dated August 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



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Kathrine H. Hudgins  
Senior Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 23<sup>rd</sup> day of September, 2024.

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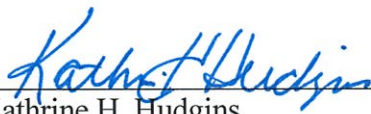
APPELLATE CASE NO. 2024-000331

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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 of time to file initial brief of appellant and designation of matter in the above-referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 23<sup>rd</sup> day of September, 2024.

  
Kathrine H. Hudgins  
Senior Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [mfarthing@scag.gov](mailto:mfarthing@scag.gov); [SC - COLLINS CAROLINE](#)  
**Cc:** [Hudgins, Kathrine](#)  
**Subject:** 2024-000331 - Toya Steward - 3rd Extension for Brief and Designation  
**Date:** Monday, September 23, 2024 8:46:00 AM  
**Attachments:** [2024-000331 - Toya Steward - 3rd Extension for Brief and Designation.pdf](#)

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Mr. Farthing,

Please find attached for service the 3<sup>rd</sup> Request for Extension for Initial Brief of Appellant and Designation of Matter for Toya Steward'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