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Oct 11 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DANA ANDREW BUTLER, JR.,

APPELLANT

APPELLATE CASE NO. 2024-000343

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

Counsel for Dana Andrew Butler. Jr. respectfully requests a thirty (30) day extension from October 11, 2024, until November 11, 2024, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third 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 today.
2. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of In the Matter of the Care and Treatment of James Gregory Younger with the Supreme Court on

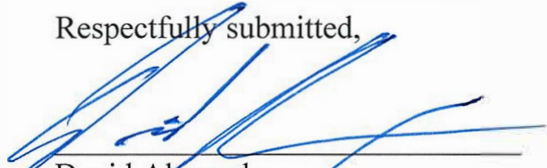
October 9, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. William McKinney with the Court of Appeals on October 9, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Desmond Lamar Green with the Court of Appeals on October 9, 2024. Counsel filed the Brief of Appellant and Designation of Matter in the case of The State v. Stacy Michelle Rabon with the Court of Appeals on September 30, 2024. Counsel filed the Anders Brief of Appellant in the case of In the Matter of the Care and Treatment of Walter Vaughn with the Court of Appeals on September 11, 2024. Counsel filed the Anders Brief of Appellant in the case of The State v. William Rivers with the Court of Appeals on September 11, 2024. Counsel filed the Brief of Appellant and Designation of Matter in the case of The State v. Dameun Sanders with the Court of Appeals 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 the Court of Appeals on August 12, 2024. Counsel filed the Brief of Respondent in the case of The State v. Jason Black with the Court of Appeals on July 31, 2024. Counsel filed the Petition for Rehearing in the case of In the Matter of James G. Younger with the Court of Appeals on July 18, 2024.

3. This request is made in good faith, and not for purposes 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.

4. On September 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 October 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from October 11, 2024, until November 11, 2024. 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,



David Alexander
Deputy Chief Attorney for Capital Appeals



Robert M. Dudek
Chief Appellate Defender

This 11th day of October, 2024.

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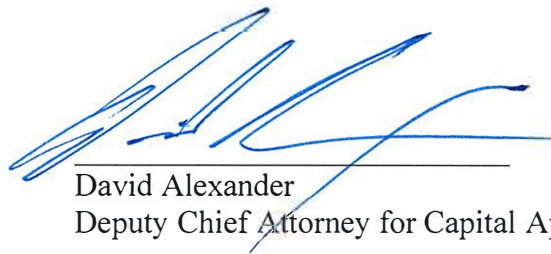
DANA ANDREW BUTLER, JR.,

APPELLANT

APPELLATE CASE NO. 2024-000343

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 October, 2024.



David Alexander
Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; abennett@scaj.gov](#)
Cc: [Alexander, David](#)
Subject: 2024-000343 The State v. Dana A. Butler, Jr. - Third Motion for Extension
Date: Friday, October 11, 2024 11:09:00 AM
Attachments: [2024-000343 The State v. Dana A. Butler, Jr. - Third Motion for Extension.pdf](#)

Ms. Brown,

Please find attached for service the 3rd Request for Extension for Initial Brief of Appellant and Designation of Matter for David Andrew Butler, Jr.'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