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Jan 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES BROWN,

APPELLANT.

APPELLATE CASE NO. 2024-000425

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

Counsel for appellant respectfully requests a thirty (30) day extension, 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 Initial Brief of Appellant and Designation of Matter in the case of The State v. Samantha Rabon with the Court of Appeals on December 19, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Damon Riley v. The State with the

Supreme Court on December 3, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jakobe German v. The State with the Supreme Court on November 25, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Joseph S. Wadford v. The State with the Supreme Court on November 14, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Mimi Joe Marshall v. The State with the Supreme Court on November 12, 2024. Counsel attended the annual South Carolina Public Defender Conference in Myrtle Beach, South Carolina from October 14-16, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Horace Elijah Watts v. The State with the Supreme Court on October 15, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of John A. James v. The State with the Supreme Court on October 4, 2024. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of David R. Brown v. The State with the Supreme Court on September 25, 2024.

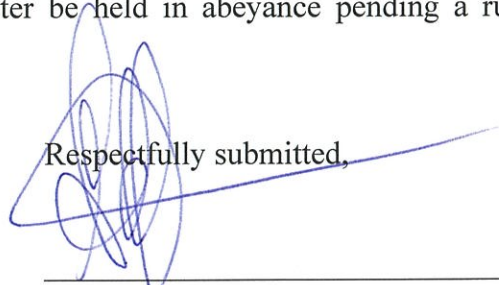
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that his caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On December 31, 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 January 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial

Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Gary H. Johnson
Appellate Defender

A handwritten signature in blue ink, appearing to be the initials 'R M D' with a large flourish at the end.

Robert M. Dudek
Chief Appellate Defender

This 3rd day of January, 2024.

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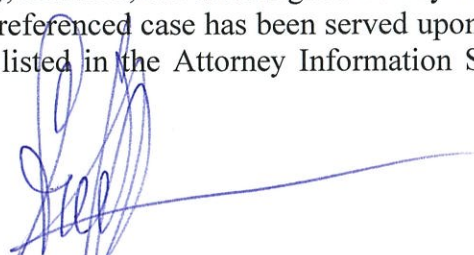
JAMES BROWN,

APPELLANT.

APPELLATE CASE NO. 2024-000425

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 R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 3rd day of January, 2025.



Gary H. Johnson
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Friday, January 3, 2025 11:10 AM
To: SC - FARTHING MARK
Cc: SC - COLLINS CAROLINE; Johnson, Gary
Subject: 2024-000425 - State v. James Brown - Extension 3
Attachments: 2024-000425 - State v. James Brown - Extension 3.pdf

Dear Mr. Farthing,

Attached please find a copy of a third extension in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Gary Johnson
Appellate Defense