

**RECEIVED**

**Jan 03 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Sumter County

George M. McFaddin, Jr., Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DYWAIN CA MEL MCKENZIE,

APPELLANT.

APPELLATE CASE NO. 2024-000741

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

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Counsel for Dywain Ca Mel McKenzie respectfully requests a thirty (30) day extension from January 3, 2025 until February 3, 2025, 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 will file the Brief of Appellant in the case of The State v. Brendan

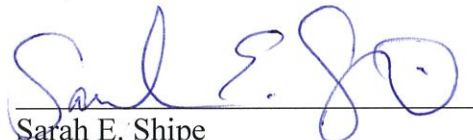
Richardson with this Court today, January 3, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of Brian Foster v. The State with the Supreme Court on January 2, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Bradley Mark Corlew with this Court on December 19, 2024. Counsel appeared before Judge Daniel McLeod Coble in the Richland County Court of General Sessions for a remote Reconstruction Hearing in the case of Alonzo Tarell Jones v. The State on December 17, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Jontez M. Ward v. The State with the Supreme Court on December 11, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Michael J. Smith with this Court on December 9, 2024. Counsel filed the Petition for Writ of Certiorari, the Brief of Petitioner Pursuant to *White v. State*, and the Appendix in the case of Matthew L. Jackson v. The State with the Supreme Court on December 3, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Dante Zachius Wheeler v. The State with the Supreme Court on November 20, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Steve Lester with this Court on November 20, 2024. Counsel filed the Reply to Return to Petition for Writ of Certiorari in the case of Ben Robert Stewart v. The State with the Supreme Court on November 14, 2024. Counsel filed the Petition for Rehearing in the case of Brian Foster v. The State with this Court on November 14, 2024. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of In the Matter of the Care and Treatment of James L. Williford with the Supreme Court on November 5, 2024. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Felicia Danielle Turnage with this Court on November 1, 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.

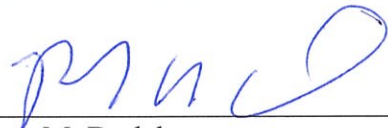
4. On December 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 3, 2025 until February 3, 2025. 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,



Sarah E. Shipe  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

This 3rd day of January, 2025.

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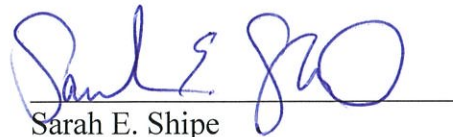
APPELLATE CASE NO. 2024-000741

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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 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.

  
Sarah E. Shipe  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Warren, Kaylynn](#)  
**To:** [Mark Farthing](#)  
**Cc:** [Shipe, Sarah](#); [Caroline Collins](#)  
**Subject:** 2024-000741 The State v. Dywain Ca Mel McKenzie  
**Date:** Friday, January 3, 2025 9:47:00 AM  
**Attachments:** [2024-000741 The State v. Dywain Ca Mel McKenzie Third Motion for Extension.pdf](#)

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Good Morning,

Attached for service in the above-referenced case is the Third Motion for Extension which will be filed today 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