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Feb 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Florence County

Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JONATHAN PAUL POSTON,

APPELLANT

APPELLATE CASE NO. 2024-001158

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

Counsel for Jonathan Paul Poston respectfully requests a thirty (30) day extension from February 3, 2025 until March 5, 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 is finalizing the Initial Brief of Appellant and Designation of Matter in

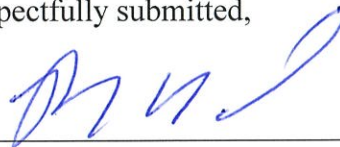
the case of The State v. Craig Lee Legette to file with this Court on Wednesday, February 5, 2025. Counsel, with co-counsel Lara M. Caudy, filed the Petition for Rehearing in the case of The State v. Bowen Gray Turner with this Court on January 23, 2025. Counsel, with co-counsel Lara M. Caudy, filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Kierin Marcellus Dennis with the Supreme Court on Friday, January 17, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Kenneth Lewis with this Court on January 13, 2025. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Anthony Nicholas Argoe with this Court on December 30, 2024. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Cynethia Kathleen Morton with this Court on December 13, 2024. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Yunique Demesa Weathers with this Court on December 4, 2024. Counsel was a presenter for two sections of the Public Defense 101 Trial Skills Workshop hosted by the South Carolina Indigent Defense Academy on November 25, 2024 in Columbia, South Carolina. Counsel was a presenter at the What Trial Lawyers should know about Appeals CLE on November 22, 2024 in Columbia, South Carolina. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Jalann Williams v. The State with the Supreme Court on November 22, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Xavier Holbrooks with this Court on November 20, 2024. Counsel appeared for Oral Argument in the case of The State v. Donovan Tirell Brannon before this Court on November 14, 2024. **Counsel also has extensive administrative duties as the Chief Appellate Defender, including attempting to hire two new Appellate Defenders, and an administrative assistant, while carrying a full caseload.**

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 January 31, 2025, 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 February 28, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from February 3, 2025 until March 5, 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,



Robert M. Dudek
Chief Appellate Defender

This 3rd day of February, 2025.

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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 in the above-referenced case has been served upon Matthew C. Buchanan, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 3rd day of February, 2025.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: matthew.buchanan@ppp.sc.gov
Cc: [Dudek, Robert](#); dawn.nichols@ppp.sc.gov
Subject: 2024-001158 The State v. Jonathan Paul Poston
Date: Monday, February 3, 2025 11:25:00 AM
Attachments: [2024-001158 The State v. Jonathan Paul Poston Third Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Third Motion for Extension which will be filed today, February 3, 2025, 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