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Feb 07 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County

Honorable Walton J. McLeod, IV, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DWIGHT ANTHONY POWELL, JR.

APPELLANT

APPELLATE CASE NO. 2024-000490

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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 Dwight A. Powell respectfully requests a thirty (30) day extension from February 7, 2025 until March 10, 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 filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Tiffany R. Owens with the Court of Appeals on February 3, 2025. Counsel filed

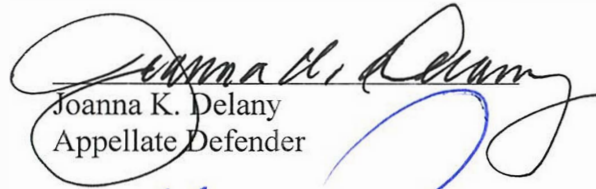
the Petition for Rehearing in the case of The State v. Terry Gridine with the Court of Appeals on January 23, 2025. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Travontae Mitchell with the Court of Appeals on January 13, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Darius G. Dickey with the Court of Appeals on January 3, 2025.

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.

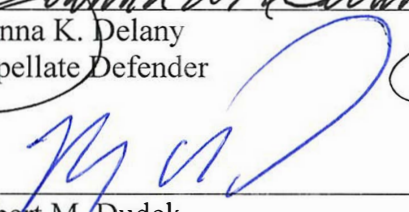
4. On January 31, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from February 7, 2025 until March 10, 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,



Joanna K. Delany  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

This 7th day of February, 2025.

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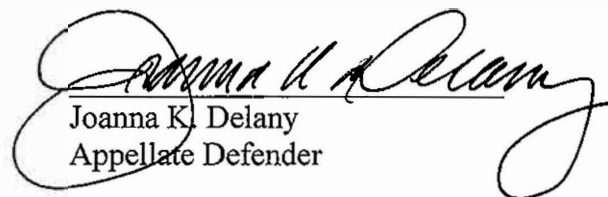
APPELLATE CASE NO. 2024-000490

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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 7th day of February, 2025.



Joanna K. Delany  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Mcinnis, Sara](#)  
**To:** [Mark Farthing](#)  
**Cc:** [ccollins@scag.gov](mailto:ccollins@scag.gov); [Delany, Joanna](#)  
**Subject:** 2024-000490 The State v. Dwight A. Powell Extension 3  
**Date:** Friday, February 7, 2025 10:48:00 AM  
**Attachments:** 2024-000490 The State v. Dwight A. Powell Extension 3.pdf

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Good Morning Mr. Farthing,

Attached for service in the above-referenced case is the third motion for extension, which will be filed with the Court of Appeals today, February 7, 2025, via email filing.

Thank you!

**Sara McInnis**

Administrative Assistant

South Carolina Commission on Indigent Defense

Appellate Division

(803) 734-1330