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Mar 05 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 **fourth and final thirty (30) day extension from March 5, 2025 until April 4, 2025**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.

2. Counsel for Jonathan Paul Poston respectfully submits that extraordinary

circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel will file the Petition for Rehearing in the case of The State v. Devin Jamel Johnson with this Court tomorrow, Thursday, March 6, 2025. Counsel will file the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Justin Cole Carroll with this Court on Friday, March 7, 2025. Counsel was an appellate panel member at the annual Criminal Law CLE sponsored by the South Carolina Bar on Friday, February 28, 2025 in Columbia. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Craig Lee Legette 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 also has extensive administrative duties as the Chief Appellate Defender, including attempting to hire two new Appellate Defenders, and an administrative assistant,**

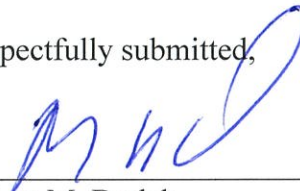
while carrying a full caseload.

4. Counsel makes this request in good faith and not for purpose 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.

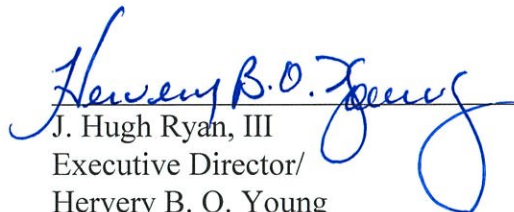
5. On March 3, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from March 5, 2025 until April 4, 2025**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 5th day of March, 2025.

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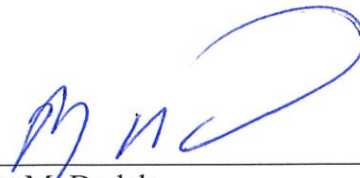
JONATHAN PAUL POSTON,

APPELLANT

APPELLATE CASE NO. 2024-001158

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 5th day of March, 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: Wednesday, March 5, 2025 9:22:00 AM
Attachments: [2024-001158 The State v. Jonathan Paul Poston Fourth Motion for Extension.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Fourth Motion for Extension which will be filed today, March 5, 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