

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Laurens County

Honorable Donald B. Hocker, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TIMOTHY P. SPENCER,

APPELLANT

APPELLATE CASE NO. 2024-000685

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

Counsel for Timothy P. Spencer 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 Timothy P. Spencer 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 filed the Brief and Record on Appeal in the case of The State v. Alvaro Seleste McBride with the Court of Appeals on February 28, 2025. Counsel filed the Motion for a New Trial in the case of The State v. James Owens with the Court of Appeals on February 25, 2025. Counsel filed the Initial Brief of Respondent in the case of The State v. Richard Leroy Anderson with the Court of Appeals on February 12, 2025. Counsel attended in person the reconstruction hearing for James Owens held in Sumter on February 10, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Joshua Warren Hopkins v. The State with the Supreme Court on February 3, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Clifton Curtis Boozer v. The State with the Supreme Court on January 21, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Bobby Jones v. The State with the Supreme Court on December 23, 2024. Counsel filed the Petition for Rehearing in the case of In the Matter of Wiley L. Chapman with the Court of Appeals on December 12, 2024. Counsel filed the Brief in the case of The State v. Dana Andrew Butler, Jr. with the Court of Appeals on December 12, 2024. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Michael T. Lawyer v. The State with the Supreme Court on December 5, 2024. Counsel filed the Brief in the case of The State v. Towodi Tecumseh Shequoyah with the Court of Appeals on November 18, 2024.

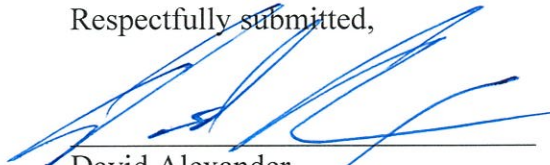
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be

requested.

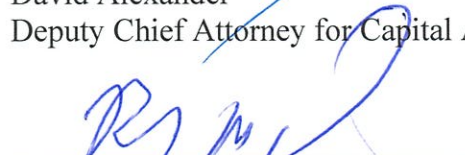
5. On March 3, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2025.

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.

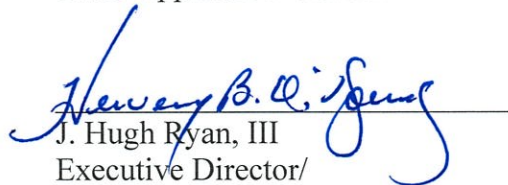
Respectfully submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals



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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SC Court of Appeals

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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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 5th day of March, 2025.



David Alexander
Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: [SC - BROWN MELODY; Angela Brown](#)
Cc: [Alexander, David](#)
Subject: 2024-000685 - Timothy Spencer - 4th Extension for Brief and Designation
Date: Wednesday, March 5, 2025 2:28:00 PM
Attachments: [2024-000685 - Timothy Spencer - 4th Extension for Brief and Designation.pdf](#)

Ms. Brown,

Please find attached for service the 4th Extension Request for the Initial Brief of Appellant and Designation of Matter for Timothy Spencer's appeal which will be filed with the Court of Appeals today.

If you have any questions, please let me know.

Thank you,

Chris Stock
Administrative Coordinator
Commission on Indigent Defense
Appellate Division
(803) 734-1330