

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Mar 10 2025
SC Court of Appeals

Appeal from Lexington County

Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DWIGHT ANTHONY POWELL, JR.

APPELLANT

APPELLATE CASE NO. 2024-000490

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

Counsel for Dwight A. Powell respectfully requests a **fourth and final thirty (30) day extension from March 10, 2025 until April 9, 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 Dwight A. Powell 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 her caseload, counsel hopes that no further extension requests will be required.

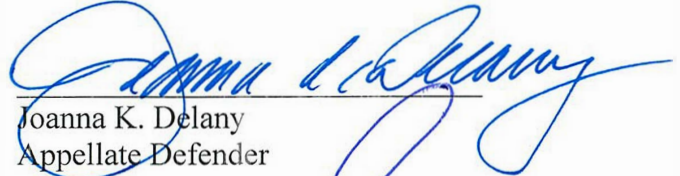
3. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. William A. Kelly with the Court of Appeals on March 5, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Terry Gridine with the Supreme Court on February 27, 2025. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Natalia Chisolm v. State with the Supreme Court on February 19, 2025. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Nick Evangelista v. State with the Supreme Court on February 14, 2025. Counsel appeared for Oral Argument in the case of In the Interest of Khalid J., A Juvenile Under the Age of Seventeen before the Court of Appeals on February 11, 2025. 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.

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.

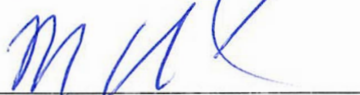
5. On March 3, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from March 10, 2025 until April 9, 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.

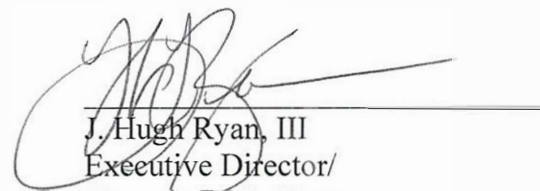
Respectfully submitted,



Joanna K. Delany
Appellate Defender



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 10th day of March, 2025.

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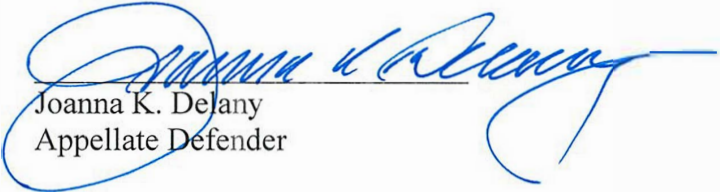
DWIGHT ANTHONY POWELL, JR.

APPELLANT

APPELLATE CASE NO. 2024-000490

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 Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 10th day of March, 2025.


Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT