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Apr 04 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Honorable Daniel McLeod Coble, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MELANIE C. MCCLAIN,

APPELLANT

APPELLATE CASE NO. 2024-000472

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

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

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 petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Vernon Cooley v. The State with the Supreme Court on March 26, 2025. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Kelvin Gantt v. The State with the Supreme Court on March 25, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v.

Willie James Smith with the Court of Appeals on March 20, 2025. Counsel filed the petition for rehearing in the case of Willie M. Williams v. The State with the Court of Appeals on March 14, 2025. Counsel filed the initial reply brief of appellant in the case of The State v. Micah Pressley with the Court of Appeals on March 13, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dean Stevens with the Court of Appeals on March 12, 2025. Counsel had an oral argument in the case of Lindy Lamont Jones v. The State before the Court of Appeals on March 5, 2025. Counsel filed the brief of appellant, designation of matter and supplemental record on appeal in the case of The State v. Mack Gaines with the Court of Appeals on March 3, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Vernon Cooley with the Court of Appeals on February 25, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Andre Junior Covington with the Court of Appeals on February 13, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brandon Wilson v. The State with the Supreme Court on February 11, 2025. Counsel had an oral argument in the case of Jason Allen Larson v. The State before the Court of Appeals on February 4, 2025. Counsel filed the Anders brief of appellant, designation of matter and record on appeal in the case of The State v. Earl Valentine with the Court of Appeals on February 3, 2025.

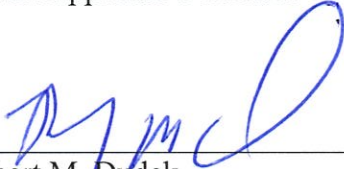
3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through April 30, 2025. That emailed general consent was dated March 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



Kathrine H. Hudgins
Senior Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 4th day of April, 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 of time to file initial brief of appellant and designation of matter 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 4th day of April, 2025.


Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT

From: [Stock, Chris](#)
To: mfarthing@scag.gov; [SC - COLLINS CAROLINE](#)
Cc: [Hudgins, Kathrine](#)
Subject: 2024-000472 - Melanie Cromer McClain - 3rd Extension for Brief and Designation
Date: Friday, April 4, 2025 10:02:00 AM
Attachments: [2024-000472 - Melanie Cromer McClain - 3rd Extension for Brief and Designation.pdf](#)

Mr. Farthing,

Please find attached for service the 3rd Extension Request for the Initial Brief of Appellant and Designation of Matter for Melanie Cromer McClain'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