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Jul 11 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

G.D. Morgan, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DALE SMITH,

APPELLANT

APPELLATE CASE NO. 2024-001014

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

Counsel for Dale Smith respectfully requests a thirty (30) day extension from July 11, 2025 until August 11, 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 will file the Petition for Writ of Certiorari and the Appendix in the case

of Lamarcus Thompson v. The State with the Supreme Court today, July 11, 2025. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Larry Charles Jones with this Court on June 30, 2025. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Aideyan Omoregbee with this Court on June 23, 2025. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Marshall Depree Lee v. The State with the Supreme Court on June 13, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Robert Allen Henderson, Jr. with this Court on June 10, 2025. Counsel appeared for Oral Argument in the case of The State v. Tony Tijuan Sweet before the Supreme Court on June, 3, 2025. Counsel appeared for Oral Argument in the case of The State v. Travis Gathers before this Court on May 14, 2025. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Matthew Darazs v. The State with the Supreme Court on May 7, 2025. Counsel filed the Brief of Respondent in the case of In the Matter of the Care and Treatment of James L. Williford with the Supreme Court on May 1, 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 June 27, 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 July 31, 2025.

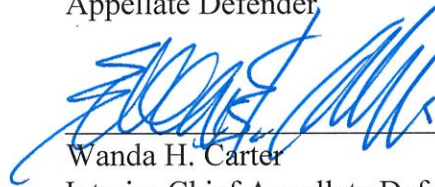
WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from July 11, 2025 until August 11, 2025. Counsel respectfully requests that the time limits for

filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Sarah E. Shipe
Appellate Defender



Wanda H. Carter
Interim Chief Appellate Defender

This 11th day of July, 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 in the above-referenced case has been served upon Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 11th day of July, 2025.



Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT

Warren, Kaylynn

From: Warren, Kaylynn
Sent: Friday, July 11, 2025 1:17 PM
To: Mark Farthing
Cc: Shipe, Sarah; Caroline Collins
Subject: 2024-001014 The State v. Dale Smith
Attachments: 2024-001014 The State v. Dale Smith Third Motion for Extension.pdf

Good Afternoon,

Attached for filing in the above-referenced case is the Third Motion for Extension which will be filed today, July 11, 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