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Aug 01 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenville County  
Honorable G.D. Morgan, Jr., Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

LEVY ERNEST DUNN,

APPELLANT

APPELLATE CASE NO. 2024-001413

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

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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 and accompanying appendix in the case of Willie Ruth Byrd v. The State with the Supreme Court on July 18, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurio D. Rivers v. The State with the Supreme Court on July 18, 2025. Counsel filed the brief of respondent in the case of Joseph Todd Rowland v. The State with the Court of Appeals on June 25, 2025. Counsel filed

the petition for writ of certiorari and accompanying appendix in the case of Donald Martin, III v. The State with the Supreme Court on June 19, 2025. Counsel filed the reply to return to petition for writ of certiorari to the Court of Appeals in the case of Willie M. Williams v. The State with the Supreme Court on June 17, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jeffrey Michael George with the Court of Appeals on May 30, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Stephen J. Green with the Court of Appeals on May 22, 2025. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Willie M. Williams v. The State with the Supreme Court on May 14, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Carlos Ruiz v. The State with the Supreme Court on May 1, 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 August 30, 2025. That emailed general consent was dated July 29, 2025.

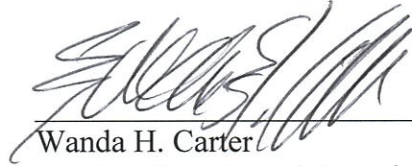
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Kathrine H. Hudgins  
Senior Appellate Defender



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Wanda H. Carter  
Interim Chief Appellate Defender

This 1<sup>st</sup> day of August, 2025.

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THE STATE,

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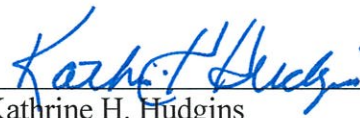
APPELLATE CASE NO. 2024-001413

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CERTIFICATE OF SERVICE

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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 1<sup>st</sup> day of August, 2025.

  
\_\_\_\_\_  
Kathrine H. Hudgins  
Senior Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Stock, Chris](#)  
**To:** [Mark Farthing](#); [SC - COLLINS CAROLINE](#)  
**Cc:** [Hudgins, Kathrine](#)  
**Subject:** 2024-001413 - The State v. Levy Ernest Dunn - 3rd Extension for Brief and Designation  
**Date:** Friday, August 1, 2025 10:27:00 AM  
**Attachments:** [2024-001413 - The State v. Levy Ernest Dunn - 3rd Extension for Brief and Designation.pdf](#)

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Mr. Farthing,

Please find attached for service the 3<sup>rd</sup> Extension Request for the Initial Brief of Appellant and Designation of Matter for Levy Ernest Dunn'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