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Aug 22 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Frank R. Addy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KENNETH DAWSON,

APPELLANT

APPELLATE CASE NO. 2025-000114

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

Counsel for Kenneth Dawson respectfully requests a thirty (30) day extension from August 22, 2025 until September 22, 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 filed the Petition for Rehearing in the case of Jason Ervin Black v. The State with the Court of Appeals on August 11, 2025. Counsel was a presenter at a CLE in

Columbia on August 9, 2025. Counsel filed the Brief of Appellant and Designation of Matter in the case of The State v. Bobbie Jo Baynard with the Court of Appeals on July 30, 2025. Counsel filed the Brief of Petitioner in the case of In the Matter of the Care and Treatment of Wiley Chapman with the Court of Appeals on July 17, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Marques Quantez Heath with the Court of Appeals on July 7, 2025. Counsel had an oral argument in The State v. Arkevus Jimon Cauthen before the Court of Appeals on June 11, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Dominick Thompson v. The State with the Supreme Court on May 30, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Courtney Cordae Richards with the Court of Appeals on May 12, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Charles Winston v. The State with the Supreme Court on May 12, 2025. Counsel had an oral argument in Jason Ervin Black v. The State before the Court of Appeals on May 7, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Timothy P. Spencer with the Court of Appeals on April 4, 2025. Counsel filed the Brief and Record on Appeal in the case of In the Matter of the Care and Treatment of Benjamin Heyward with the Court of Appeals on April 3, 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 his caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On July 29, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy

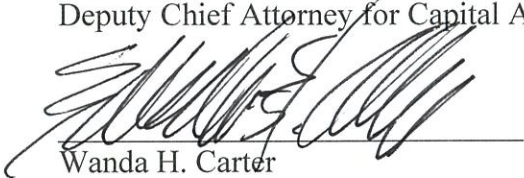
Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from August 22, 2025 until September 22, 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,

Lora McCurdy for:

David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
Interim Chief Appellate Defender

This 22nd day of August, 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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 22nd day of August, 2025.

David Alexander for:

David Alexander

Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT



2025-000114 - The State v. Kenneth Dawson - 3rd Extension Request

From Timberlake, Gage <gtimberlake@sccid.sc.gov>

Date Fri 8/22/2025 12:03 PM

To mbrown@scag.gov <mbrown@scag.gov>; abennett@scag.gov <abennett@scag.gov>

Cc Alexander, David <dalexander@sccid.sc.gov>

 1 attachment (373 KB)

2025-000114 - The State v. Kenneth Dawson - 3rd Extension Request.pdf;

Ms. Brown,

Please find attached for service the 3rd Extension Request for the Initial Brief of Appellant and Designation of Matter in the matter of the above-referenced case.

Thank you.

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Very Respectfully,

Gage Timberlake

Administrative Assistant

Commission on Indigent Defense

Appellate Division

(803) 734-1330