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Nov 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

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

THE STATE,

RESPONDENT,

V.

AKEVIUS DAYQUAN LINDSEY,

APPELLANT

APPELLATE CASE NO. 2025-000317

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

Counsel for Akevius Lindsey respectfully requests a **fourth and final thirty (30) day extension from November 3, 2025 until December 3, 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 Akevius Lindsey 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 his caseload, counsel hopes that no further extension requests will be required.

3. From October 27-29, counsel had jury duty and served as a juror on the trial of a civil matter in the Court of Common Pleas in Richland County. Counsel filed the Anders Brief of Appellant in the case of The State v. Kenneth Dawson with the Court of Appeals on October 22, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and the accompanying Appendix in the case of Jason Ervin Black v. The State with the Supreme Court on October 17, 2025. Counsel attended the mandatory Annual South Carolina Public Defender Conference in Myrtle Beach, South Carolina from October 6-8, 2025. Counsel filed the Johnson Petition for Writ of Certiorari and accompanying Appendix in the case of John Green v. The State with the Supreme Court on October 3, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Demetrius Alexander Brown with the Court of Appeals on October 1, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Christova Pierre Knowlin with the Court of Appeals on September 30, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Shamar Latrell Stanley with the Court of Appeals on September 19, 2025. Counsel filed a Return to Motion to Appoint Outside Counsel in Gary Dubose Terry v. The State, a capital PCR, with the Supreme Court on September 11, 2025. Counsel spoke at the Summary Court Intensive Training on September 9, 2025. 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.

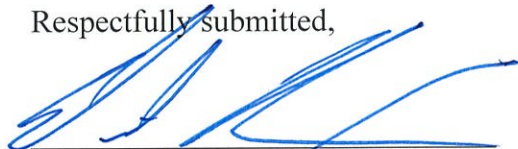
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. On October 31, 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 November 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from November 3, 2025 until December 3, 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.

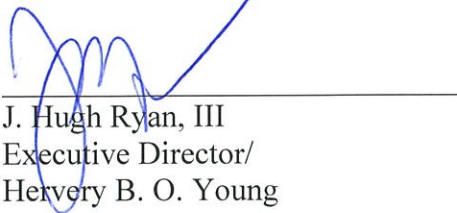
Respectfully submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
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 3rd day of November, 2025.

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AKEVIUS DAYQUAN LINDSEY,

APPELLANT

APPELLATE CASE NO. 2025-000317

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 3rd day of November, 2025.



David Alexander
Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT



2025-000317 - The State v. Akevius D. Lindsey - 4th Extension Request

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

Date Mon 11/3/2025 2:59 PM

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

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

 1 attachment (454 KB)

2025-000317 - The State v. Akevius D. Lindsey - 4th Extension Request.pdf;

Ms. Brown,

Please find attached for service the 4th 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