

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County

Brian M. Gibbons, Circuit Court Judge

RECEIVED

Jan 06 2026

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DAVID MICHAEL GORDON,

APPELLANT

APPELLATE CASE NO. 2025-000408

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

Counsel for David Gordon respectfully requests a thirty (30) day extension from January 6, 2026 until February 5, 2026 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 *Anders* Brief of Appellant and Record on Appeal in the case of The State v. Jacob R. Mims with the Court of Appeals today, January 6, 2026. Counsel filed the

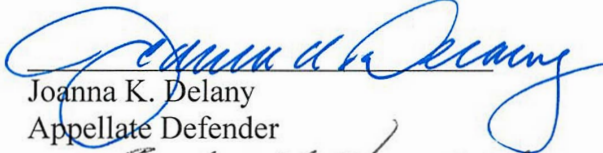
Petition for Rehearing in the case of The State v. Manly M. Thompson with the Court of Appeals on December 18, 2025. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Amy Wright v. State with the Supreme Court on December 15, 2025. Counsel appeared for Oral Argument in the case of The State v. Travontae Mitchell before the Court of Appeals on December 9, 2025. Counsel filed the Return to the Petition for Writ of Certiorari to the Court of Appeals in the case of Ronnie C. Swofford v. State with the Supreme Court on November 26, 2025. Counsel appeared for Oral Argument in the case of The State v. Terry Gridine before the Supreme Court on November 18, 2025. Counsel appeared for Oral Argument in the case of The State v. Genari McNeil before the Court of Appeals on November 12, 2025.

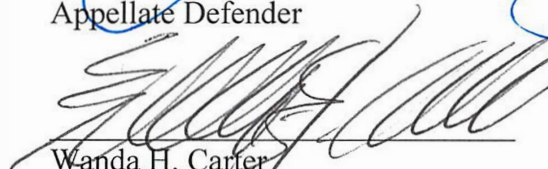
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On January 2, 2026, 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 February 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 6, 2026 until February 5, 2026. 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,


Joanna K. Delany
Appellate Defender


Wanda H. Carter
Chief Appellate Defender

This 6th day of January, 2026.

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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 R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 6th day of January, 2026.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: [Mark Farthing](#)
Cc: [Caroline Collins](#); [Delany, Joanna](#)
Subject: 2025-000408 The State v. David M. Gordon Extension 3
Date: Tuesday, January 6, 2026 3:47:00 PM
Attachments: 2025-000408 The State v. David M. Gordon Extension 3.pdf

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Good Afternoon Mr. Farthing,

Attached for service in the above-referenced case is the third motion for an extension of time to serve and file the initial brief of appellant and designation of matter. This motion will be filed with the Court of Appeals today, January 6, 2026, via email filing.

Thank you!

Sara McInnis
Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
(803) 734-1330