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May 13 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

Thomas William McGee, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

MARTY BROWN,

APPELLANT

APPELLATE CASE NO. 2025-001776

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

Counsel for Marty Brown respectfully requests a **fourth and final thirty (30) day extension from May 13, 2026, until June 12, 2026**, 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 Marty Brown 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. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. Jason Barry Bell with the Supreme Court on May 6, 2026. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. Phillip Ryan Lawson with the Supreme Court on April 28, 2026. Counsel filed the Brief of Petitioner in the case of The State v. Demetrius Alexander Brown with the Supreme Court on April 20, 2026. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. William McKinney with the Supreme Court on April 16, 2026. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kenya R. Jenkins v. The State with the Supreme Court on April 10, 2026. Counsel filed the Brief of Appellant in the case of The State v. Quindaris K. Washington with the Court of Appeals on April 8, 2026. Counsel had an oral argument in The State v. Justin Cole Carroll in the Court of Appeals on April 8, 2026. Counsel filed the Petition for Rehearing in the case of The State v. Jason Barry Bell with the Court of Appeals on April 1, 2026. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jaquese Kavon Hyatt v. The State with the Supreme Court on March 17, 2026. Counsel filed the Initial Brief of Appellant in the case of The State v. Darryl Jerome Washington with the Court of Appeals on March 9, 2026.

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.

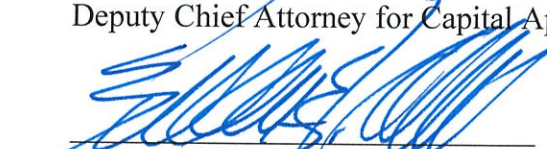
5. On April 29, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from May 13, 2026, until June 12, 2026**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

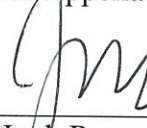
Respectfully submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervy B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 13th day of May, 2026.

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APPELLATE CASE NO. 2025-001776

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 13th day of May, 2026.



David Alexander
Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT

Bast, Daniel

From: Bast, Daniel
Sent: Wednesday, May 13, 2026 10:50 AM
To: mfarthing@scag.gov
Cc: Alexander, David; CCollins@scag.gov
Subject: 2025-001776 - The State v. Marty Brown
Attachments: 2025-001776 - The State v. Marty Brown - Fourth Extension Request.pdf

Good morning,

Attached is a copy of a fourth extension request in the above referenced case which will be filed today, May 13, 2026, with the Court of Appeals.

All the best,

Daniel Bast
Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330

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