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Jul 27 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Robert J. Bonds, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DAVID WYNDHAM NEWTON,

APPELLANT

APPELLATE CASE NO. 2025-002177

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

Counsel for David Newton respectfully requests a thirty (30) day extension from July 27, 2026, until August 26, 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 Motion to Hold Appeal in Abeyance and Remand for Reconstruction of the Record in the case of Michael Myers v. SCDMH with the Supreme Court

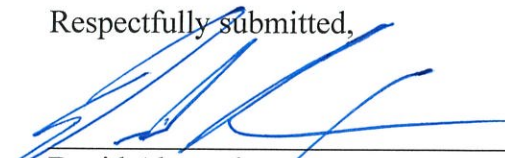
on July 1, 2026. Counsel filed the Brief of Appellant in the case of The State v. Ryan Woodruff with the Court of Appeals on June 29, 2026. Counsel filed the Brief of Appellant, Motion to Supplement the Record on Appeal, and Supplemental Record on Appeal in the case of The State v. Kenneth Dawson with the Court of Appeals on June 16, 2026. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Sinatra L. Hunter v. The State with the Supreme Court on June 15, 2026. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Marty Brown with the Court of Appeals on June 12, 2026. Counsel had an oral argument in The State v. Kereen Donyell Lee in the Court of Appeals on June 9, 2026. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of James Bubba Patterson v. The State with the Supreme Court on June 8, 2026. Counsel filed the Brief of Appellant and Record on Appeal in the case of The State v. Daniel Machito Buckson with the Court of Appeals on June 3, 2026. Counsel filed the Brief of Petitioner in the case of The State v. Desmond Lamar Green with the Supreme Court on June 1, 2026. Counsel filed the Initial Brief of Appellant in the case of The State v. Joseph Landry with the Court of Appeals on May 22, 2026.

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.

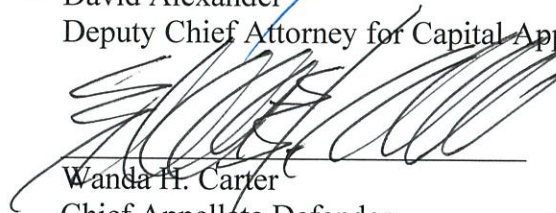
4. On July 2, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from July 27, 2026, until August 26, 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,



David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
Chief Appellate Defender

This 27th day of July, 2026.

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APPELLANT

APPELLATE CASE NO. 2025-002177

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 27th day of July, 2026.



David Alexander
Deputy Chief Attorney for Capital Appeals

ATTORNEY FOR APPELLANT

Bast, Daniel

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From: Bast, Daniel
Sent: Monday, July 27, 2026 10:43 AM
To: mfarthing@scag.gov
Cc: Alexander, David; ccollins@scag.gov
Subject: 2025-002177 - The State v. David Wyndham Newton
Attachments: 2025-002177 - The State v. David Wyndham Newton - Third Extension Request.pdf

SC Court of Appeals

Good morning,

Attached is a copy of a third extension request in the above referenced case which will be filed today, July 27, 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