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Sep 08 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County

Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

EMMANUEL LEWIS O'NEAL,

APPELLANT

APPELLATE CASE NO. 2025-001504

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

Counsel for Emmanuel O'Neal respectfully requests a thirty (30) day extension from September 8, 2026 until October 8, 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 initial brief of appellant and designation of matter in the case of

The State v. Jaquan Ma'liek Frinks with this Court on August 11, 2026. Counsel filed the brief of appellant, designation of matter, and record on appeal in the case of The State v. Ronald Ray Broadnax with this Court on July 20, 2026. Counsel filed the brief of petitioner in the case of Myron A. Cannon v. The State with the Supreme Court on July 16, 2026. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio D. Scott v. The State with the Supreme Court on July 15, 2026. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Willie Smith with the Supreme Court on June 26, 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.

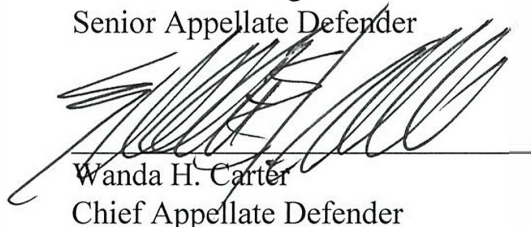
4. On August 27, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from September 8, 2026 until October 8, 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,



Kathrine H. Hudgins
Senior Appellate Defender



Wanda H. Carter
Chief Appellate Defender

This 8th day of September, 2026.

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APPELLANT

APPELLATE CASE NO. 2025-001504

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 8th day of September, 2026.



Kathrine H. Hudgins
Senior Appellate Defender

ATTORNEY FOR APPELLANT

2025-001504 - State v. Emmanuel L. O'Neal

From Walkup, Catherine <cwalkup@sccid.sc.gov>

Date Tue 9/8/2026 8:34 AM

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

Cc Hudgins, Kathrine <KHudgins@sccid.sc.gov>; abennett@scag.gov <abennett@scag.gov>; Stock, Chris <cstock@sccid.sc.gov>

 1 attachment (218 KB)

2025-001504 - State v. Emmanuel L. O'Neal - 3rd Request for Extension.pdf;

Good morning,

Attached for service in the above-referenced case is the third motion for extension which will be filed today September 8th with the Court of Appeals via email filing.

Respectfully,

Catherine Walkup

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