

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Jasper County
Carmen T. Mullen, Circuit Court Judge

RECEIVED
Apr 27 2020
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ALVIN GREGORY MITCHELL, JR.,

APPELLANT.

APPELLATE CASE NO. 2019-001352

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

Counsel for Alvin Gregory Mitchell, Jr., respectfully requests a **fourth and final thirty (30) day extension until May 27, 2020**, in which to 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. The Court has granted counsel three previous extensions.
2. Counsel for Alvin Gregory Mitchell, Jr., 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 brief of appellant and record on appeal in the case of The State v. Pedro A. Grado Torres-Shaw with the Court of Appeals on April 15, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. William Earl Sherley with the Court of Appeals on April 1, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ty'Shun Mario Bessellieu with the Court of Appeals on March 27, 2020. Counsel filed the brief of appellant and record on appeal In the Matter of the Care and Treatment of James Williams with the Court of Appeals on March 13, 2020. Counsel filed the brief of appellant and record on appeal in the case of The State v. Antonio Deaunte Simpkins with the Court of Appeals on February 26, 2020. Counsel filed the brief of respondent in the case of The State v. John Kenneth Massey with the Supreme Court on February 20, 2020. Counsel had an oral argument in the case of The State v. Robin Renee Herndon, before the Supreme Court on February 12, 2020.

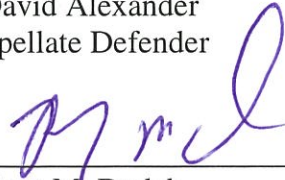
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Opposing counsel Melody J. Brown, Esquire graciously consents to this extension.

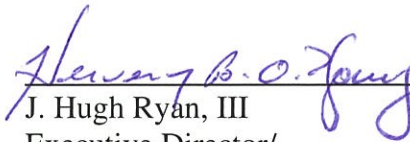
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **May 27, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

s/David Alexander
Appellate Defender



Robert M. Dudek
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 27rd day of April, 2020.