

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

Grace Gilchrist Knie, Circuit Court Judge

**RECEIVED**

**Jun 25 2020**

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

CARNELL DAVIS,

APPELLANT.

APPELLATE CASE NO. 2019-001976

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

The undersigned counsel respectfully requests a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.

2. On June 19, 2020, counsel filed the petition for writ of certiorari and accompany appendix in Bobby Joe Arflin v. The State with the Supreme Court. On May 22, 2020, counsel filed the petition for writ of certiorari and accompany appendix in Marcus Shearin v. The State with the Supreme Court. On May 20, 2020, counsel had an oral argument in The State v. Felix Kotowski before the Supreme Court. On May 6, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Michael Breyan with the Court of Appeals. On May 1,

2020, counsel filed the initial brief of appellant and designation of matter in The State v. Traivon Young with the Court of Appeals. On April 17, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Lagerald Dunham with the Court of Appeals. On April 10, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Rakeem White with the Court of Appeals.

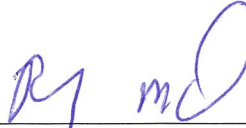
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On May 20, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2020.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension. 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,

s/ Lara M. Caudy  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency" dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension to File the Initial Brief of Appellant and Designation of Matter 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 25th day of June, 2020.

s/ Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT