

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Oct 08 2020

SC Court of Appeals

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Appeal from Newberry County  
Honorable D. Craig Brown, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JOHN HENRY DAVENPORT,

APPELLANT

APPELLATE CASE NO. 2020-000198

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PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER

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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. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Andre Deshawn Posey with this Court on September 16, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Shaquille Dozier with this Court on September 4, 2020. Counsel filed the petition for writ of certiorari and

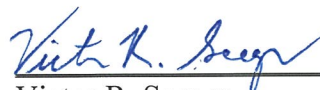
accompanying appendix in the case of Eric T. Spears v. The State of South Carolina with the United States Supreme Court on August 28, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Darrin Houser with this Court on August 26, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Wiggs with this Court on August 26, 2020.

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. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2020. That emailed general consent was dated September 28, 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,



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Victor R. Seeger  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 8<sup>th</sup> day of October, 2020.

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THE STATE,

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APPELLATE CASE NO. 2020-000198

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CERTIFICATE OF SERVICE  
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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 of Time in which to File the Initial Brief of Appellant and Designation of Matter in the above-referenced case have been served upon William M. Blich, Jr., Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 8<sup>th</sup> day of October, 2020.



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Victor R. Seeger  
Appellate Defender

ATTORNEY FOR APPELLANT