

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

**Oct 28 2020**

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

JAMES HAROLD BALDWIN,

APPELLANT.

APPELLATE CASE NO. 2019-001923  
\_\_\_\_\_

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

Counsel for James Harold Baldwin respectfully requests a **sixth and final ten (10) day extension until November 9, 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 sixth 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 four previous extensions.
2. Counsel for James Harold Baldwin respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **Counsel has been enmeshed in the final preparations for the filing of the initial brief of appellant (which**

is over 150 pages long) in the death penalty case of State v. Timothy Ray Jones, Jr., which was filed on October 23, 2020, in the Supreme Court. The instant case is over 1,100 pages long, is a complex murder case that was the subject of local and national media attention and contains lengthy multimedia evidence. Counsel hopes he can file the brief well before the expiration of the ten-day extension sought, but feels asking for this additional time is prudent, especially in light of the complexity of the case and the challenges associated with working during the pandemic. 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. On October 14, 2020, counsel had an oral argument in The State v. Rashawn Vertez Carter before the Court of Appeals. On October 12, 2020, counsel had an oral argument in The State v. Leon LaGwan Barksdale before the Court of Appeals. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jason Donn Lee with the Court of Appeals on October 9, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of the Care and Treatment of Ronald MJ Gregg and with the Court of Appeals on September 30, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jacop Robert Lee Hazlett with the Court of Appeals on September 9, 2020. Counsel filed the reply to return to petition for writ of certiorari in the **death penalty** case of Marion Alexander Lindsey v. The State with the Supreme Court on September 3, 2020. Counsel filed the petition for writ of certiorari in the case of Jovan Mitchell v. The State with the Court of Appeals on September 2, 2020.

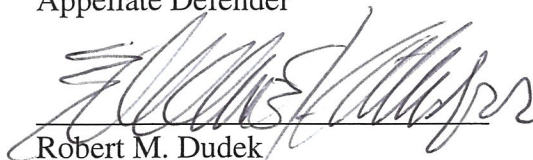
4. On September 28, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by

Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2020.

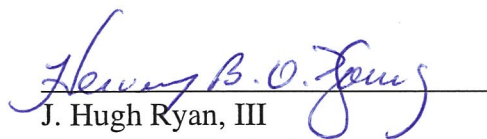
WHEREFORE, the undersigned counsel would respectfully request a **sixth and final ten (10) day extension** until **November 9, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

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

October 28, 2020.

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Chester County

Honorable Daniel D. Hall, Circuit Court Judge

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**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

JAMES HAROLD BALDWIN,

APPELLANT.

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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 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 28th day of October, 2020.

s/David Alexander  
Appellate Defender

ATTORNEY FOR APPELLANT