

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

Oct 30 2020

SC Court of Appeals

Appeal from Lexington County

Walton J. McLeod, IV., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CHESNEE LABRI MATTRESS,

APPELLANT

APPELLATE CASE NO. 2020-000186

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

The undersigned counsel respectfully requests a **final thirty-day extension until November 30, 2020**, in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel respectfully shows the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by three prior orders of this Court.

2. Counsel filed an initial brief of appellant, designation of matter, in the case of State v. Calvin Ford in this Court on October 16, 2020. Counsel filed a petition for rehearing in the case of State v. John William McCarty in this Court on October 8, 2020. Counsel filed an

initial brief of appellant, designation of matter, in the case of State v. Kayla Marie Cook in this Court on October 8, 2020. Counsel filed an Anders brief of appellant, designation of matter, and record on appeal in the case of State v. Jason Simmons in this Court on October 6, 2020. Counsel filed an amended initial brief of appellant and designation of matter in the case of State v. Tony Orlanda Singleton in this Court on September 30, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Darryl Quan Damond Wilson in this Court on September 23, 2020. Counsel attended the Annual Public Defender Conference from September 21-23, 2020. Additionally, counsel presented on the topic of Practical Ethics for the Defense Bar on September 22, 2020, at the Conference. Not only was counsel's attendance at the Conference necessary in light of her presentation, but it was necessary for counsel to obtain her required continuing legal education hours. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brian Neil White in this Court on September 21, 2020. Counsel had an oral argument in the case of State v. Fabian Lamichael Green with the Supreme Court on September 16, 2020. Counsel had an oral argument in the case of State v. Demontay Markeith Payne with this Court on September 15, 2020. Counsel submitted objections to State's Proposed Order to the circuit court in Tunzy Sanders v. State on September 14, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. James Anthony Durham in this Court on September 9, 2020. Counsel submitted a proposed order granting the Rule 59(e) motion to the circuit court in Tunzy Sanders v. State on September 4, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Leandra Lamont Bright in this Court on September 3, 2020. Counsel filed a response to the Conditional Order of Dismissal in the case of Kinjta Kadeem Sadler v. State on September 2, 2020. Counsel filed a petition for rehearing in the case of State v. Angela Brewer in this Court on

September 1, 2020. Counsel filed the petition for writ of certiorari in the case of Arthur Jason Bowers v. State in the Supreme Court on August 31, 2020. Counsel filed the petition for writ of certiorari, accompanying appendix, and supplemental appendix in the case of Brittany A. Johnson v. State in the Supreme Court on August 31, 2020.

3. This request is made in good faith, and not for purposes of delay.


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

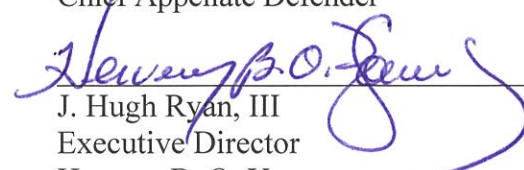
WHEREFORE, the undersigned counsel respectfully requests a **final thirty-day extension until November 30, 2020**, in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/Susan B. Hackett

Susan B. Hackett  
Appellate Defender

  
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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 30, 2020

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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 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), which is mbrown@scag.gov, this 30<sup>th</sup> day of October, 2020.

*s/Susan B. Hackett*

Susan B. Hackett  
Appellate Defender

ATTORNEY FOR APPELLANT