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Aug 06 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Lexington County

Eugene C. Griffith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KIERIN MARCELLUS DENNIS,

APPELLANT

APPELLATE CASE NO. 2019-001486

PETITION FOR EXTENSION TO FILE
INITIAL REPLY BRIEF OF APPELLANT

The undersigned counsel respectfully requests a **final ten-day extension, from the due date Monday, August 9, 2021 until August 19, 2021**, in which to file the initial reply brief of appellant in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial reply brief of appellant is due to be served and filed August 9, 2021. Appellate defenders Adam Ruffin and Lara Caudy are co-counsel on this case. Co-counsel Adam Ruffin has a very busy workload, as well, and co-counsel Lara Caudy has been on maternity leave since July 9, 2021.

2. Counsel filed the seventeen-volume (8,366 page) Record on Appeal in the case of The State v. Timothy Ray Jones, Jr., with the Supreme Court on July 30, 2021 with co-counsel

Susan Hackett, David Alexander, Lara Caudy, and Taylor Gilliam. Counsel filed a Petition for Rehearing in the case of The State v. William C. (Billy) Sellers with this Court on July 22, 2021. Counsel filed the reply to return to petition for writ of certiorari to this Court in the case of The State v. David Matthew Carter with the Supreme Court on July 2, 2021. Counsel filed the initial reply brief of appellant in the death penalty case of The State v. Timothy Ray Jones, Jr. with the Supreme Court on June 30, 2021 with co-counsel Susan Hackett, David Alexander, Lara Caudy, and Taylor Gilliam. Counsel filed the petition for writ of certiorari to this Court in the case of The State v. David Matthew Carter with the Supreme Court on June 17, 2021. Counsel had an oral argument before this Court on June 7, 2021 in The State v. Robert Xavier Geter. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight.**

Co-counsel Adam Ruffin

Counsel filed the initial brief of appellant and designation of matter in the case of State v. Russel Stuart Kendrick with this Court on July 14, 2021. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ricky Bernard Brown with this Court on July 1, 2021. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Alyssa Anne Dayvault with this Court on June 14, 2021.

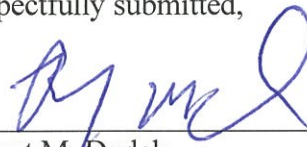
3. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 31, 2021. That extended, emailed general consent was dated July 29, 2021.

4. This request of all counsel is made in good faith, and not for purposes of delay. Each attorney intends to continue to work on the cases with more than three extensions first so that

their caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension, from the due date Monday, August 9, 2021 until August 19, 2021**, in which to file the initial reply brief of appellant. Counsel respectfully requests that the time limits for filing the reply brief of appellant be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Adam Sinclair Ruffin
Appellate Defender

Lara M. Caudy
Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 6th day of August, 2021

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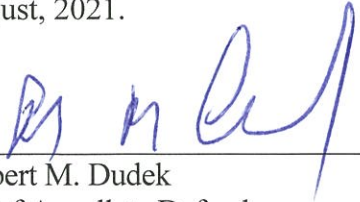
KIERIN MARCELLUS DENNIS,

APPELLANT

APPELLATE CASE NO. 2019-001486

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 petition for extension to file initial reply brief of appellant in the above-referenced case has been served upon Julianna E. Battenfield, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 6th day of August, 2021.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT