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Aug 06 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Florence County

Michael G. Nettles, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

BRYAN AUSTIN SEIDLE,

APPELLANT

Appellate Case No. 2020-001485

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

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The undersigned counsel respectfully requests a thirty-day extension from August 6, 2021 until September 7, 2021, 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, August 6, 2021.

2. Counsel is preparing to file the Initial Reply Brief of Appellant this month in the case of The State v. Kierin Marcellus Dennis with this Court, with co-counsel Lara Caudy and Adam Ruffin. 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

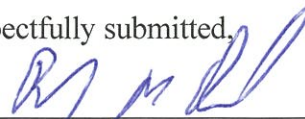
Rehearing in the case of The State v. William C. (Billy) Sellers with this Court on July 22, 2021. Counsel filed the reply to return to petition for writ of certiorari to this Court in the case of The State v. David Matthew Carter with the Supreme Court on July 2, 2021. Counsel filed the initial reply 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.**

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 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.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from August 6, 2021 until September 7, 2021. 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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Robert M. Dudek  
Chief Appellate Defender

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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 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 6th day of August, 2021.

  
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Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR APPELLANT.