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Sep 07 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Florence County

Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRYAN AUSTIN SEIDLE,

APPELLANT

Appellate Case No. 2020-001485

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

Counsel for Bryan Austin Seidle respectfully requests a final extension of **thirty (30) days, from September 7, 2021 until October 7, 2021**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today, September 7, 2021. The Court has granted counsel three previous extensions.

2. Counsel for Bryan Austin Seidle respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. 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.

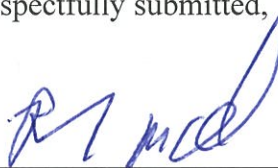
3. Counsel filed a Petition for Rehearing in the case of The State v. Robert Xavier Geter with this Court on Thursday, September 2, 2021. Counsel filed the initial reply brief of appellant in the case of The State v. Kierin Marcellus Dennis with this Court on August 19, 2021 with co-counsel Adam Ruffin and Lara Caudy. 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 has extensive administrative duties as the Chief Appellate Defender, including Appellate Project oversight duties.**

4. Counsel makes this request in good faith and not for purpose 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.

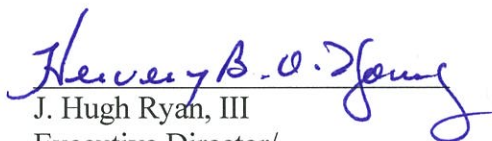
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2021. That extended, emailed general consent was dated August 27, 2021.

WHEREFORE, the undersigned counsel would respectfully request a final **thirty (30) day extension, from September 7, 2021 until October 7, 2021**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief 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 7th day of September, 2021.

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for an Extension of Time in which the file the 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 7th day of September.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.