

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Sep 08 2021
SC Court of Appeals

Appeal from Florence County
D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOSHUA THOMAS ROTHWELL,

APPELLANT.

APPELLATE CASE NO. 2020-001444

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

Counsel for Joshua Thomas Rothwell respectfully requests a thirty (30) day extension, in which to serve and 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. This is a third 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 today.
2. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in The State v. Corey Jermaine Brown with the Supreme Court on August 30, 2021. Counsel filed the brief of petitioner in Michael Duran Watson v. The State with the Court of Appeals on August 13, 2021. Counsel filed the brief of appellant and designation of matter in In the Matter of the Care and Treatment of James Ronnie Nichols, Jr with the Court of Appeals on August 11, 2021.

Counsel filed the return to petition for writ of certiorari in The State v. M'Andre Cochran with the Supreme Court on August 2, 2021. Counsel filed the petition for rehearing in The State v. Corey Jermaine Brown with the Court of Appeals on July 21, 2021. Counsel, along with co-counsel filed the initial reply brief of appellant and designation of matter in the death penalty case of The State v. Timothy Ray Jones, Jr. with the Supreme Court on June 30, 2021. Counsel filed the initial brief of appellant and designation of matter in The State v. Joseph Randolph Henry with the Court of Appeals on June 17, 2021.

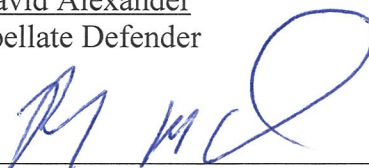
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On August 27, 2021, 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 September 30, 2021.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 8th 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 Extension in the above-referenced case has been served upon William M. Blich, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 8th day of September, 2021.

s/David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT