

RECEIVED

Jan 14 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Georgetown County

Steven H. John, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JEREMIAH DICAPUA,

APPELLANT.

APPELLATE CASE NO. 2021-000570

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

Counsel for Jeremiah Dicapua 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 brief of appellant and record on appeal in the case of The State v. Lavar Anthony Smith with the Court of Appeals on January 4, 2022. Counsel testified at a PCR Hearing held via Web Ex in the case of King Conyers v. State on December 8, 2021.

Counsel filed a petition for rehearing in the case of Allen Stone v. The State with the Court of Appeals on November 18, 2021. Counsel appeared pursuant to a subpoena in a hearing in the PCR case of Vincent Missouri v. State on November 12, 2021. Counsel filed the brief of appellant and record on appeal in the case of The State v. Joshua Rothwell with the Court of Appeals on November 8, 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 December 29, 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 January 31, 2022.

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 14th day of January, 2022.

RECEIVED

Jan 14 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Georgetown County

Steven H. John, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JEREMIAH DICAPUA,

APPELLANT.

APPELLATE CASE NO. 2021-000570

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 14th day of January, 2022.

s/David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT