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Feb 03 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Steven H. John, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DONNIELLE K. MATTHEWS,

APPELLANT.

APPELLATE CASE NO. 2021-000677

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

Counsel for Donnielle K. Matthews 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. On January 28, 2022, counsel filed a petition for writ of certiorari to the Court of Appeals in The State v. Jody Ray Thompson with the Supreme Court. On January 25, 2022, counsel had an oral argument in James Allen Johnson v. The State before the Court of Appeals.

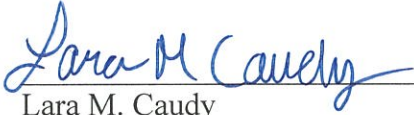
On January 14, 2022, counsel filed a return to petition for rehearing in The State v. Montrelle Lamont Campbell with the Court of Appeals. On December 17, 2021, counsel filed a brief of petitioner in Mathew C. Dwyer v. The State with the Court of Appeals. On December 9, 2021, counsel had an oral argument in The State v. Tammy Caison Moorer before the Court of Appeals. On December 6, 2021, counsel had an oral argument in In the Matter of the Care and Treatment of William Ralph Wilson, III before the Court of Appeals.

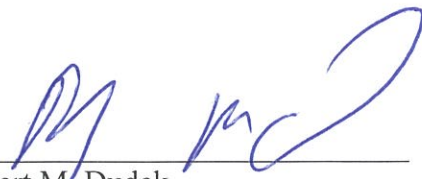
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On January 31, 2022, 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 February 28, 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,


Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 3rd day of February, 2022.

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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 3rd day of February, 2022.



Lara M. Caudy

Appellate Defender

ATTORNEY FOR APPELLANT