

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chesterfield County
Paul M. Burch, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES MONROE BROWN,

APPELLANT.

APPELLATE CASE NO. 2021-000469

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

The undersigned counsel respectfully requests a thirty-day extension from February 11, 2022 until March 14, 2022, 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, February 11, 2022, having been extended by two prior orders of this Court.
2. Counsel filed the initial brief of appellant and designation of matter with the in the case of The State v. Whyzdom Antonio Lee Douse with the Court of Appeals on Monday, February 7, 2022. Counsel filed a brief of petitioner in the case of The State v. David

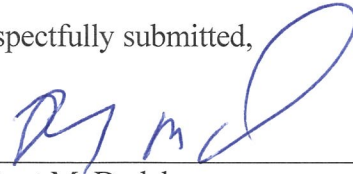
Matthew Carter with the Supreme Court on January 31, 2022. Counsel assisted in preparing the case summary materials and presented at the South Carolina Bar Convention CLE on criminal law with the Honorable Judge James Lockemy and Senior Assistant Deputy Attorney General Melody Brown on Friday, January 21, 2022 in Greenville, South Carolina. Counsel filed a return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Robert Xavier Geter with the Supreme Court on January 10, 2022. Counsel filed a petition for rehearing in the case of The State v. Gregg Pickrell with this Court of Appeals on December 23, 2021. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of The State v. Robert Xavier Geter with the Supreme Court on December 21, 2021. Counsel has worked on preparation for the Criminal Law CLE, and will be part of the panel with the Honorable Justice George C. James, Jr. on Significant Appellate Decisions of 2021 for that Criminal Law CLE to be held on Friday, February 18, 2022. **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 February 28, 2022. That extended, emailed general consent was dated January 31, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from February 11, 2022 until March 14, 2022. 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,



Robert M. Dudek
Chief Appellate Defender

This 11th day of February, 2022.

RECEIVED

Feb 11 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chesterfield County
Paul M. Burch, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

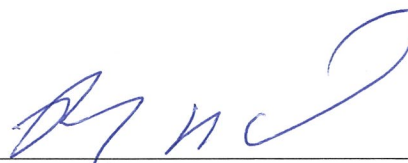
JAMES MONROE BROWN,

APPELLANT.

APPELLATE CASE NO. 2021-000469

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy the motion for an extension of time in which to 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 11th day of February, 2022.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.