

RECEIVED
May 31 2022
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DUSTIN G. READY,

APPELLANT.

APPELLATE CASE NO. 2021-000598

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

Counsel for Dustin G. Ready respectfully requests a **final extension of three (3) days, from May 31, 2022, until Friday, June 3, 2022**, in which to file the initial brief of appellant and designation of matter in this case. **Counsel will file the initial brief of appellant and designation of matter before the deadline if possible.** 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 in this case are due to be served and filed today, May 31, 2022. The Court has granted counsel four previous extensions.

2. Counsel for Dustin G. Ready 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. **This case involves a novel issue. The brief is written but counsel is working on refining it.**

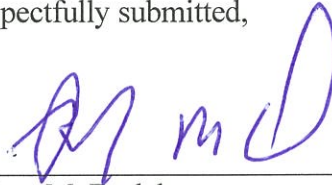
3. Counsel filed the return to motion to submit amended final brief of respondent in the case of The State v. Bryan Austin Seidle with the Court of Appeals on May 23, 2022, with co-counsel Lara M. Caudy. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. James Monroe Brown with the Court of Appeals on April 29, 2022. Counsel, as lead counsel, filed a petition for rehearing in the case of The State v. Justin Jamal Warner, with the Supreme Court on April 28, 2022. Counsel, as lead counsel, filed a petition for rehearing in the death penalty case of The State v. Jerome Jenkins, Jr., with the Supreme Court on April 20, 2022. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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.

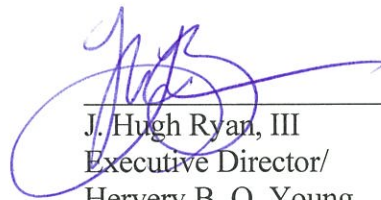
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2022. That extended, emailed general consent was dated April 28, 2022.

WHEREFORE, the undersigned counsel would respectfully request a **final three (3) day extension from May 31, 2022, until Friday, June 3, 2022**, 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/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 31st day of May, 2022.

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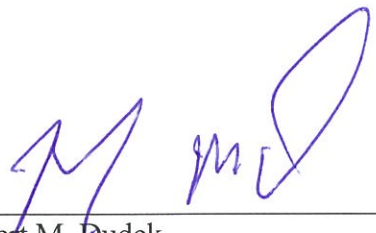
DUSTIN G. READY,

APPELLANT.

APPELLATE CASE NO. 2021-000598

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 serve and file the initial brief of appellant and designation of matter 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 31st day of May, 2022.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

From: [Matthews, Lindsey](#)
To: Wblitch@scag.gov
Cc: [Caroline Collins](#); [Dudek, Robert](#)
Subject: 2021-000598 The State v. Dustin G. Ready
Date: Tuesday, May 31, 2022 10:59:00 AM
Attachments: [2021-000598 The State v. Dustin G. Ready - Motion for Fifth Extension.pdf](#)

Attached is a motion for extension in the above-referenced case.

Thank you.

Sincerely,
Lindsey M. Matthews
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SC Commission on Indigent Defense
Appellate Division
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