

**IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT KNOXVILLE**

STATE OF TENNESSEE,)
)
 Appellee,)
)
 v.) **E2024-01809-CCA-R3-CD**
) **HAMILTON COUNTY**
 DONYELL DEWAYNE)
 HOLLAND,)
)
 Appellant.)

MOTION FOR EXTENSION OF TIME

 X Appellee Appellant
Requests: A 10 day extension of time within which to file its brief.
This is Movant's: 1st; 2d; X 3d request for an extension in
this case. The brief is originally due: May 6, 2026.
Opposing counsel: No objection; Objects and will respond;
 X See Declaration.

A declaration is attached pursuant to Tenn. R. App. P. 22(a) and
Tenn. Sup. Ct. R. 46, § 3.04(c).

Respectfully submitted,

JONATHAN SKRMETTI
Attorney General and Reporter

/s/ Benjamin L. Barker
BENJAMIN L. BARKER
Assistant Attorney General
Criminal Appeals Division
P.O. Box 20207
Nashville, Tennessee 37202
(615) 770-3943
Benjamin.Barker@ag.tn.gov
B.P.R. No. 041213

**IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT KNOXVILLE**

STATE OF TENNESSEE,	)	
	)	
Appellee,	)	
	)	
v.	)	E2024-01809-CCA-R3-CD
	)	HAMILTON COUNTY
DONYELL DEWAYNE	)	
HOLLAND,	)	
	)	
Appellant.	)	

DECLARATION

I, Benjamin L. Barker, Assistant Attorney General for the State of Tennessee, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge:

1. I am the attorney assigned to represent the State in this appeal. The State's brief is originally due on May 6, 2026.
2. In the past six weeks, I have filed three briefs in this Court. I recently traveled to Memphis for oral argument before this Court.
3. I am on a capital case team litigating end-stage matters. The defendant's execution is set for May 21, 2026. Lately, a deluge of last-minute filings with short deadlines in that case has prevented me from handling my normal criminal appeals caseload as expeditiously as I would prefer. But for this litigation, I would have submitted the State's brief by the current deadline.
4. The record in this case is very large, consisting of twenty-five volumes. Defendant raises around thirty issues in his brief.
5. As a result, I will be unable to complete the State's brief

by the current deadline.

6. Therefore, I am respectfully requesting a ten-day extension, until May 18, 2026, to complete this brief. The tenth day from May 6 is May 16, 2026, which is a Saturday. *See* Tenn. R. App. P. 21(a).
7. Seeing that Defendant, Donyell Dewayne Holland, is incarcerated and represents himself, I could not reach him to determine his position on this motion.

/s/ Benjamin L. Barker
BENJAMIN L. BARKER
Assistant Attorney General