

RECEIVED

Jan 31 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions

Brooks P. Goldsmith, Circuit Court Judge

Appellate Case No. 2024-000692
Case Nos. 2021-GS-07-00981, -00982

The State,

Respondent,

v.

Stephan Quinton Polite,

Appellant.

MOTION FOR EXTENSION TO FILE
INITIAL BRIEF AND DESIGNATION OF APPELLANT

Comes now, Jack B. Swerling, attorney for the Appellant, Stephan Quinton Polite, requesting an extension to file the Appellant's initial brief and designation of matter to be included in the Record on Appeal. Counsel has requested and been granted three prior extensions. The current deadline for the initial brief and designation of matter is February 3, 2025. Counsel respectfully requests an additional thirty days to file these documents, to March 5, 2025.

Over the past four months, counsel's schedule of trials, preparation for future trials, and work on appellate matters has been unusually heavy, causing delay in his ability to review the voluminous trial transcript and related materials in the case that is the subject of the present appeal, research and evaluate the legal issues, and prepare the initial brief.

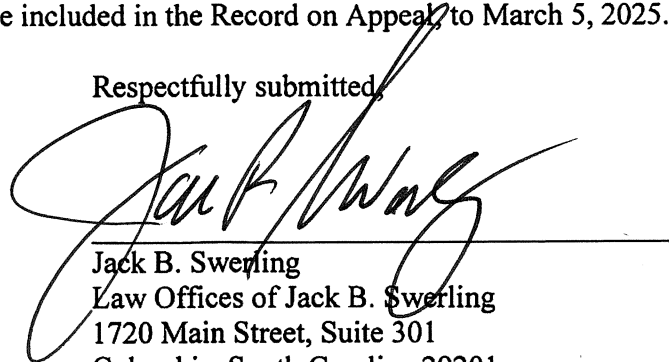
In addition to his workload issues, counsel currently does not have any other attorney in his practice and, during the past several weeks, counsel has lost his entire office support staff, both secretarial and paralegal. This recent staff turnover has severely disrupted his ability to do the work necessary to meet the current deadline in this appeal.

Counsel's workload and staffing issues present extraordinary circumstances that warrant a fourth extension, as required by the Supreme Court's order of March 18, 2009, regarding extensions in criminal direct appeals. The following actions are being taken to insure that further extensions will not be required: (1) counsel has read the lengthy trial transcript in this case, is in the process of researching and analyzing the potential legal issues for appeal, and should be able to complete the appellant's initial brief within the extension period sought by this motion, and (2) counsel is actively engaged in interviewing prospective staff members and expects to hire replacement staff within the next few weeks, thereby enabling him to meet the March 5 deadline, if this extension is granted.

Counsel is a sole practitioner, therefore only one signature appears on this motion.

WHEREFORE, based on the extraordinary circumstances recited above, counsel respectfully requests a thirty-day extension of time to serve and file the Appellant's initial brief and designation of matter to be included in the Record on Appeal to March 5, 2025.

Respectfully submitted,



Jack B. Swerling
Law Offices of Jack B. Swerling
1720 Main Street, Suite 301
Columbia, South Carolina 29201
Telephone: (803) 765-2626
South Carolina Bar No. 5457
Attorney for Appellant

RECEIVED

Jan 31 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions

Brooks P. Goldsmith, Circuit Court Judge

Appellate Case No. 2024-000692
Case Nos. 2021-GS-07-00981, -00982

The State,

Respondent,

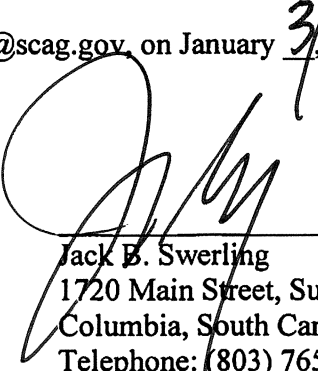
v.

Stephan Quinton Polite,

Appellant.

PROOF OF SERVICE

I hereby certify that I am serving the Motion for Extension to File Initial Brief and Designation of Appellant, by email to Assistant Deputy Attorney General Melody Jane Brown, at her AIS email address, mbrown@scag.gov, on January 31, 2025, as shown by the email by which the Motion is being filed.



Jack B. Swerling
1720 Main Street, Suite 301
Columbia, South Carolina 29201
Telephone: (803) 765-2626
South Carolina Bar No. 5457
Attorney for Appellant