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Apr 21 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM KERSHAW COUNTY
Court of General Sessions

Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2024-001890
Case Nos. 2016-GS-28-01123

The State,

Respondent,

v.

Walter Wade Goad,

Appellant.

MOTION FOR EXTENSION TO FILE
INITIAL BRIEF AND DESIGNATION OF APPELLANT

Comes now, Jack B. Swerling, attorney for the Appellant, Walter Wade Goad, requesting an extension to file the Appellant's initial brief and designation of matter to be included in the Record on Appeal. Counsel previously requested three thirty-day extensions of the deadline for these documents, and the current deadline is April 21, 2025. Counsel respectfully requests an additional extension of fifteen days to file these documents, to May 6, 2025.

Counsel seeks this fourth extension due to counsel's recent unusually heavy schedule of trials, preparation for future trials, and work on appellate matters, and due to issues of staff turnover in his office and medical issues in his family. At present, counsel has no secretarial staff member

and until two weeks ago had no paralegal or associate attorney. Counsel filled a secretarial position approximately two months ago, but that person is no longer in counsel's employ. Counsel filled both an associate attorney position and a paralegal position in the last two weeks, and counsel is actively seeking additional replacement staff. The continuing staff turnover and hiring issues have severely disrupted counsel's ability to do the work necessary to meet the current deadline in this appeal. In addition, counsel has missed significant time from work in the last two months due to an unexpectedly complicated and difficult recovery of counsel's wife from major surgery.

Counsel's recent workload has included three appeals in the briefing stage simultaneously (appellate case numbers 2024-000692, 2024-001890, and 2024-001951), all of which have involved lengthy trial transcripts to review. Counsel was able to complete the preparation and filing of the brief in the first of those appeals in March. While working on the brief in the current case, 2024-001890, counsel has also been reviewing the transcript and researching the appellate issues in the third of those appeals, in order to meet the next deadline in that case. In the present appeal, counsel is raising multiple issues on appeal, and the process of preparing the brief and designation has taken more time to complete than counsel anticipated. While working on these appellate matters, counsel has also been under a heavy trial preparation schedule. Because substantial work has been done on the initial brief in this appeal, counsel is not seeking a 30-day extension and is confident a 15-day extension will be adequate to complete and file the initial brief and designation.

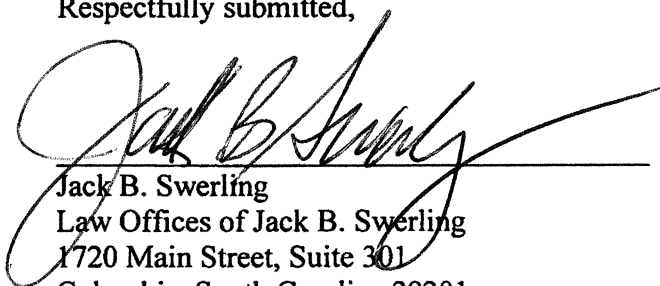
Counsel's recent workload, staffing issues, and wife's medical issues present extraordinary circumstances that warrant a fourth extension, as required by the Supreme Court's order of March 18, 2009, regarding extensions in criminal direct appeals. The following actions are being taken to insure that further extensions will not be required: (1) counsel is actively working on the initial

brief and designation, they are substantially but not entirely finished, and counsel is confident he will be able to complete them within the 15-day period requested, and (2) counsel has hired an associate attorney and a paralegal and is actively seeking to hire additional staff, which should also enable him to meet the May 6 deadline, if this extension is granted. This extension request is made in good faith and not for the purpose of delay, but due to the extraordinary circumstances of counsel's heavy workload, family medical situation, and office staffing issues.

Counsel's associate attorney has also signed this extension motion, in keeping with the requirements of the order of March 18, 2009.

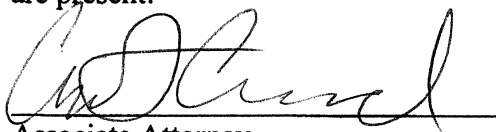
WHEREFORE, based on the extraordinary circumstances recited above, counsel respectfully requests a thirty-day extension of time to serve and file the Appellant's initial brief and designation of matter to be included in the Record on Appeal, to May 6, 2025.

Respectfully submitted,



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South Carolina Bar No. 5457
Attorney for Appellant

I believe the extension is warranted
and that extraordinary circumstances
are present:



Associate Attorney
Law Offices of Jack B. Swerling

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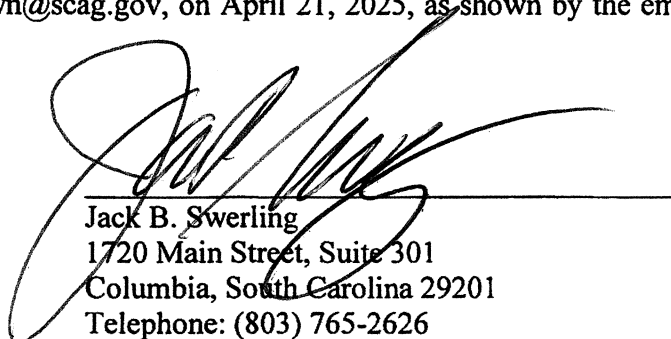
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PROOF OF SERVICE

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 April 21, 2025, as shown by the email by which the Motion is being filed.



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