

The South Carolina Court of Appeals

Ben Robert Stewart, 223006

v.

South Carolina Department of
Correctional Inst

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SEP 23 2025

SC Court of Appeals

Case No:

2024-002076

Motion For Extension of Time Due
To Rule 17 SCRCP. (d)(4)(5)(7)

Ben Robert Stewart 223006
100-200 Prison Rd.
Enoree, S.C. 29335

Motion For Extension of Time Due to Rule 17 SCRPC, (d) (4)(5)(7)

The Appellant herein respectfully moves this Honorable Court for an Extension of time to seek an Guardian Ad Litem, and an assistance of counsel because appellant has a right pursuant to SCRPC, Rule 17 d, section (5) (4) (5) (7) and says the following under penalty for perjury:

Rule 17 Sec d (4)

The Appellant is requesting pursuant Rule 17 § d, (4) because appellant is in prison and "the guardian ad litem for an imprisoned person shall be appointed upon application of such person or of a relative or friend."

Verifiable documents for disability was filed with this

Court, see: State v. Stewart, UP-2012 WL-10864538 Court of Appeals of South Carolina Dec. 12, 2012 (mental disability SSD)).

Rule 17, Sec. d.(5).

Incompetent person; the appellant is a citizen from Pennsylvania, see: 20 Pa. C.S.A., § 5501 "Incompetent means a person who because of mental infirmities of old age, mental illness, mental deficiency, drug addiction or inebriety is unable to manage his property or is liable to dissipate it or become the victim..." (1974-295 Amendment)) Appellant is mentally disabled therefore

Rule 17, Sec. d.(7)

Pursuant to Rule 17, Sec(d)(7) out of state Party. it states:

"When a minor, imprisoned or incompetent party resides out of the State or is absent therefrom, the court shall make such orders allowing additional time, or other orders as may be necessary to protect the interest of such parties."

Appellant is confined to the Department of Corrections and is incompetent by the laws of his state and should therefore be required under this States laws to equal protection of the laws. see, S.C. Const. - Art. I Section 3;

WHEREFORE, this motion for extension of time to allow the Court and appellant to conform it Rule 17(d)(4)(5) and (7) requirements

On this 17th of Sep. 2025
address 100-200 Prison Rd.
Enoree, S.C. 29335

Ben Robert Stewart
Respectfully


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Ben Robert Stewart, 223006,

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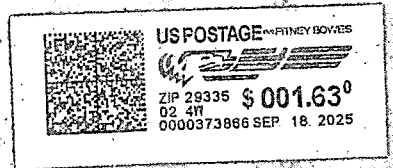
PROOF OF SERVICE

I, Ben Robert Stewart, hereby swear that a Motion for Extension of Time Due To Rule 17, SCRPC d § 4, 5, 7, is being filed to the S.C. Court of Appeals - at: P.O. Box 11629, Columbia, S.C. 29211

On this: 17~~th~~ of September 17, 2025


Ben Robert Stewart
1020 Brown Rd.
Enoree, S.C. 29335

Ben Robert Stewart, 22300
101 Prison Rd.
Eunice S.C. 29335



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