

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County

Doyet A. Early, III, Circuit Court Judge

RECEIVED
MAR 13 2015
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

EDDIE MACK STEWART,

APPELLANT

APPELLATE CASE NO. 2014-001324

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

Counsel respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel two previous extensions.

2. Counsel 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.

3. On March 11, 2015, counsel held an oral argument in State v. Michael C. Andes before this Court. On March 9, 2015, counsel filed a brief of appellant and designation of matter in State v. Michael Hawkins with this Court. On March 6, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Kenneth Henry Sherman v. State with the Supreme Court. On March 4, 2015, counsel held an oral argument in State v. Brittany Johnson before the Supreme Court. On March 2, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in John Forest Ham, Jr. v. State with the Supreme Court. On February 26, 2015, counsel filed a brief of petitioner in West Webb Mitchum v. State with this Court. On February 20, 2015, counsel filed a petition for writ of certiorari to the Court of Appeals in State v. Arthur Smith with the Supreme Court. On February 17, 2015, counsel filed a brief of appellant and record on appeal in State v. David Terrell Gallman in this Court. On February 12, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Alex O. Davidson v. State with the Supreme Court. On February 6, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Zerell McClurkin v. State with the Supreme Court. On February 4, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Michael Henderson v. State, in addition to an Anders brief of appellant pursuant to White v. State, with the Supreme Court. On January 30, 2015, counsel filed an Appointed Counsel's Return to Petitioner's Motion to Relieve Counsel, Withdraw Petition, and Proceed Pro Se in John J. Moore v. State with the Supreme Court. On January 28, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Eddie Alewine v. State with the Supreme Court. On January 26, 2015, counsel filed a petition for writ of certiorari and

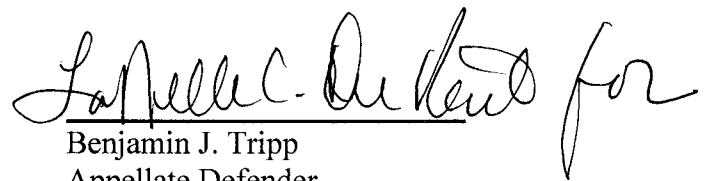
accompanying appendix in Buddy Arizona Harris v. State with the Supreme Court. On January 23, 2015, counsel filed a brief of appellant and record on appeal in State v. Lamont Quadre Dewberry with this Court. On January 20, 2015, counsel filed a brief of appellant and record on appeal in State v. Sherard A. Weathers with this Court. On January 14, 2015, counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Carolyn Poe with the Supreme Court. On January 12, 2015, counsel filed a brief of appellant and record on appeal in State v. Christopher W. Brown with this Court. On January 8, 2015, counsel held an oral argument in State v. Mitchell Rivers before this Court. On January 5, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in John J. Moore v. State with the Supreme Court.

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.

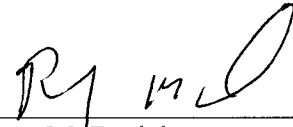
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Benjamin J. Tripp
Appellate Defender

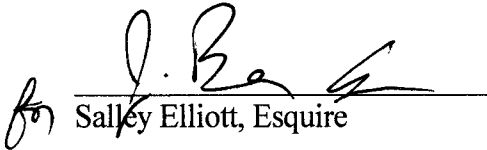
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 13th day of March, 2015

I consent:



for Salley Elliott, Esquire