

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

Roger L. Couch, Circuit Court Judge

ORIGINAL

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JUN 01 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

SANDY LYNN WESTMORELAND,

APPELLANT

APPELLATE CASE NO. 2014-002636

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

Counsel for appellant respectfully requests a **final thirty (30) day extension, until July 15, 2015**, 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. 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.
2. Counsel 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. Counsel will file the petition for writ of certiorari to the Court of Appeals in Michael A. Hough v. State with the Supreme Court today. Counsel is currently preparing for the oral argument in State v. Charles M. Harris to be held before the Supreme Court on June 3, 2015. Counsel filed the brief with a novel double jeopardy issue in the case of State v. Bryan Rearick with the Court of Appeals on May 29, 2015. Counsel prepared for and was a trainer in the Indigent Defense training (Public Defender 103) held April 27-29, 2015, in Beaufort, South Carolina. Counsel filed the reply to return to petition for writ of certiorari in the case of Sammie Louis Stokes v. State with the Supreme Court on Wednesday, April 22, 2015. Counsel had an oral argument in the case of State v. Darren Scott before the Supreme Court on Wednesday, April 22, 2015. Counsel filed the petition for rehearing in the case of State v. Richard Bill Niles, Jr. with the Supreme Court on Thursday, April 9, 2015. Counsel had an oral argument in the case of State v. Manual Marin before the Supreme Court on Wednesday, April 8, 2015. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, as stated above, training three new appellate defenders and reading all of their writings.**

4. Counsel filed the brief of appellant and designation of matter in the case of State v. Maurice Roberts with this Court on May 22, 2015. Counsel filed the return to petition for writ of certiorari in the case of Melvin Daniel v. State of South Carolina with the Supreme Court on Thursday, April 2, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Armando K. Chestnut with this Court on April 2, 2015. Counsel filed the petition for writ of certiorari on the direct appeal in the case of State v. Albert Brandeberry with the Supreme Court on March 31, 2015. Counsel filed the United States certiorari petition in the case of Richard Moore v. State of South Carolina (3 issues) with the United States Supreme Court on March 23, 2015.

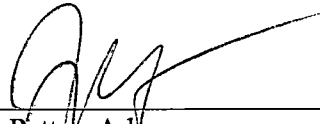
5. Counsel makes this request in good faith and not for purpose of delay.
6. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until July 1, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



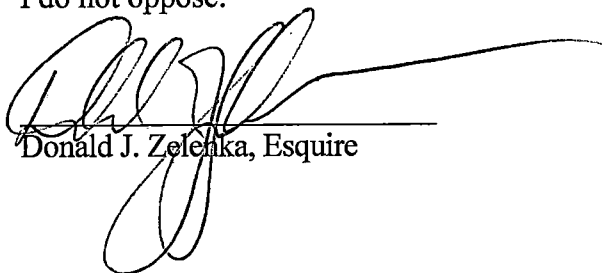
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel

This 1st day of June, 2015.

I do not oppose:



Donald J. Zelenka, Esquire