

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ORIGINAL

Appeal from Spartanburg County  
Roger L. Couch, Circuit Court Judge

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RECEIVED

THE STATE,

JUL 01 2015  
RESPONDENT,  
SC Court of Appeals

V.

SANDY LYNN WESTMORELAND,

APPELLANT

APPELLATE CASE NO. 2014-002636

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

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Counsel for appellant respectfully requests a **final thirty day (30) day extension, until July 31, 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 respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.

3. Counsel filed the brief of appellant and designation of matter in the case of State v. Terry Hall with this Court on June 26, 2015. Counsel filed a petition for rehearing in the case of State v. Curtis J. Simms in the Supreme Court with co-counsel Susan Barber Hackett and co-counsel David Alexander on June 24, 2015. Counsel filed a redacted brief of appellant and designation of matter in the death penalty case of State v. Ricky Lee Blackwell in the Supreme Court with co-counsel David Alexander on June 18, 2015. Counsel filed a brief of petitioner in the case of State v. Antonio Miller with the Supreme Court on June 18, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. William Pou with the Supreme Court on June 15, 2015. Counsel filed the Return to the Motion to Dismiss as Interlocutory in the case of State v. Bryan Rearick with this Court on June 15, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Joshua Griffith with this Court on June 12, 2015. Counsel filed a Reply Brief in the case of Richard Bernard Moore v. State in the Supreme Court of the United States today with co-counsel Susan Hackett on June 8, 2015. Counsel filed a Return to Motion to Dismiss in the case of John William. Dixon v. State before the Supreme Court on June 8, 2015. Counsel argued the case of State v. Charles M. Harris before the Supreme Court on June 3, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in Michael A. Hough v. State with the Supreme Court on June 1, 2015, with co-counsel Lara Caudy. Counsel filed the brief with a novel double jeopardy issue in the case of State v. Bryan Rearick with this Court on May 29, 2015. Counsel filed motion to certify case for review by the Supreme Court in the case of State v. Bryan Rearick with the Supreme Court on May 29, 2015. 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 prepared for and was a trainer in the Indigent Defense training (Public

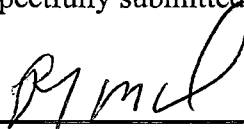
Defender 103) held April 27-29, 2015, in Beaufort, South Carolina. Counsel filed the reply to return to petition for writ of certiorari in the death penalty case of Sammie Louis Stokes v. State with the Supreme Court on Wednesday, April 22, 2015. Counsel had an oral argument in the case of State v. Darren 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, training three new appellate defenders and reading all of their writings.**

4. Counsel makes this request in good faith and not for purpose of delay. Counsel is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

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

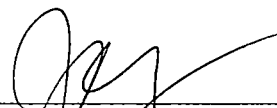
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until July 31, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

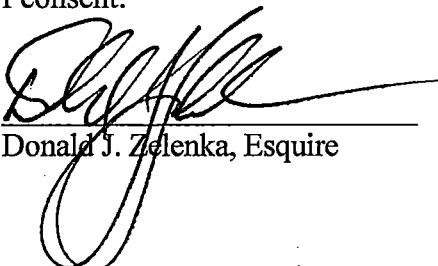


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T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

This 1st day of July, 2015.

I consent:



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Donald J. Zelenka, Esquire