

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

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

RECEIVED

JUL 31 2015

RESPONDENT
SC Court of Appeals

THE STATE,

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 day (30) day extension, until August 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. *Counsel regrets having to request this extension* and **will make every effort to file the brief prior to the thirty day deadline. Counsel regrets having to make this final extension request, but it is absolutely necessary.**
3. Counsel filed the brief of respondent and designation of matter in the case of State v. Whitlee Jones with the Supreme Court on July 29, 2015. Counsel filed the petition for writ of

certiorari to the Court of Appeals in the case of State v. Raheem D. King in the Supreme Court, on July 27, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Gary R. Dargan with this Court on July 24, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Robert Lee Moore with this Court on July 17, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Tawanda Allen with the Supreme Court on July 16, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Rashondre Montese Boozer with this Court on July 15, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Craig Geathers v. State with the Supreme Court on July 10, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Jennifer Lorene Hatfield Griffin with this Court on July 8, 2015. 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 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 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.

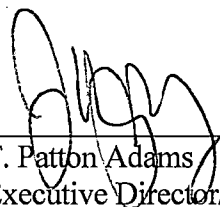
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until August 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 will endeavor to file the brief before the deadline if at all possible.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



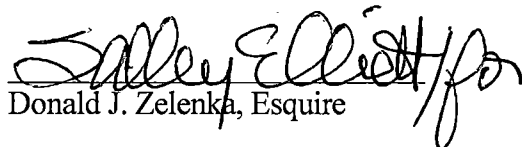
Robert M. Dudek
Chief Appellate Defender



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

This 31st day of July, 2015.

I consent:



Donald J. Zelenka, Esquire