

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

J. C. Buddy Nicholson, Jr., Circuit Court Judge

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OCT 12 2015
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

HANK E. HAWES,

APPELLANT

APPELLATE CASE NO. 2014-002288

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

Counsel, along with co-counsel Miles Coleman, Esquire, of Nelson Mullins, respectfully requests an extension of thirty days, until November 11, 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. This is a fifth 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.
2. Counsel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. This is a joint Appellate Defense – Nelson Mullins pro bono project case.

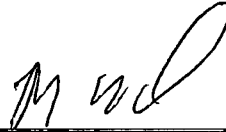
3. Counsel filed the brief of appellant and record on appeal in the case of State v. Tre'Vaughn Jackson with this Court on September 18, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Vernon Michael Wilcox v. State with the Supreme Court on September 8, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Sandy Lynn Westmoreland with this Court on August 31, 2015. Counsel presented on warrantless searches at the 2015 Magistrate Advisory Council Intensive Training Seminar on August 18, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Calvert Myers with this Court on August 14, 2015. Counsel filed the reply brief in the case of State v. Christina Reece with this Court on August 13, 2015. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of State v. Raheem D. King with the Supreme Court on August 6, 2015. 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 with 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 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.

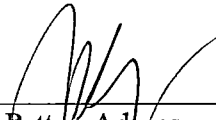
5. Counsel for the Attorney General's Office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, until November 11, 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,



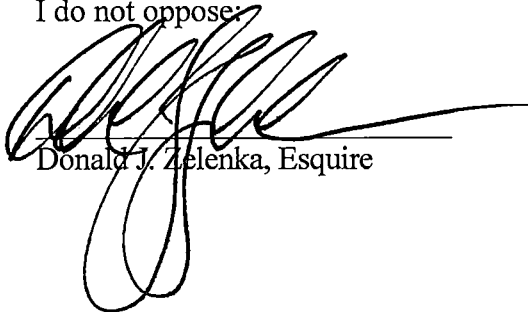
Robert M. Dudek
Chief Appellate Defender



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

This 12th day of October, 2015.

I do not oppose:



Donald J. Zelenka, Esquire