

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
Clinton Newman, Circuit Court Judge

STATE,

V.

MARTY LEE BARNES,

ORIGINAL
RECEIVED
NOV 16 2015
RESPONDENT
SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2015-001540

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a **sixty (60) day extension** in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today. This is an unusual case since the trial judge ruled that appellant did not have to register as a sex offender because the kidnapping for which he was convicted did not involve any sexual element. However, the judge later reversed that ruling after an evidentiary hearing and ruled that registration as a sex offender was mandatory.

2. Meredith Weinberg of the Nelson Mullins-law firm will represent appellant in this appeal as part of the Appellate Defense-Nelson Mullins *pro bono* project. However, her

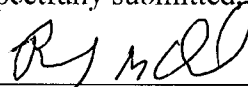
workload will prevent being her was being engaged in this case until January, 2016. Hence this unusual request for a sixty day extension until **January 15, 2016**.

3. This request is made in good faith, and not for purposes of delay.


4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a sixty-day extension **until January 15, 2016** in which to file the initial brief and designation of matter in this case. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

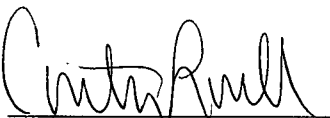


Robert M. Dudek
Chief Appellate Defender


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

This 16th day of November, 2015.

I consent:


Courtney Lowell, Esquire