

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Aiken County

Doyet A. Early, III, Circuit Court Judge

RECEIVED

JAN 20 2016

SC Court of Appeals

WAYMON NEWTON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001399

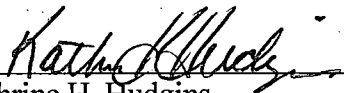
MOTION TO FILE EXTENSION REQUEST
OUT OF TIME

Counsel for Waymon Newton, respectfully moves to file an extension request out of time. In support of this petition, counsel shows:

- (1) The initial brief of appellant and designation of matter were due to filed on December 30, 2015.
- (2) Counsel intended to seek a second extension of time to prepare the brief and designation of matter on December 30, 2015.
- (3) Counsel inadvertently failed to file an extension request in a timely manner.
- (4) As indicated by his signature below, J. Benjamin Aplin of the Attorney General's Office, does not oppose this request.

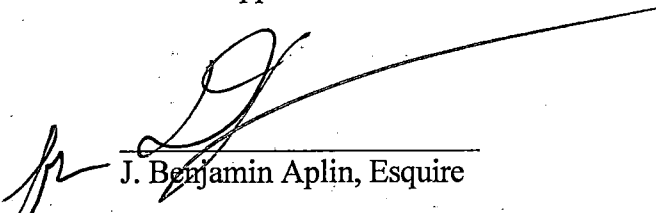
For these reasons, counsel for petitioner, asks the Court to allow the extension request to be filed out of time and to extend the time for filing the initial brief of appellant and designation of matter thirty days from December 30, 2015 which will give me a due date of January 29, 2016. Please notify me if this is not correct.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

I do not oppose:



J. Benjamin Aplin, Esquire

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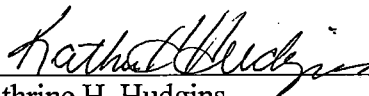
V.

STATE OF SOUTH CAROLINA,

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CERTIFICATE OF SERVICE

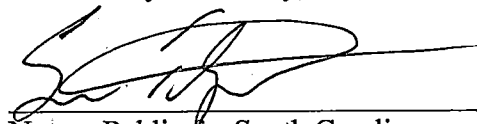
The undersigned attorney hereby certifies that a true copy of the Motion to File Extension Request Out of Time in the above referenced case has been served upon J. Benjamin Aplin, Esquire, this 20th day of January, 2016.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 20th day of January, 2016.



(L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.