

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JAN 29 2016

SC Court of Appeals

Appeal from Aiken County
Doyet A. Early, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WAYMON EUGENE NEWTON,

APPELLANT

Appellate Case No. 2015-001399

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

The undersigned counsel respectfully requests a thirty 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.
2. Counsel is filing the initial brief of appellant and designation of matter in the case of State v. Joshua James Parker with the Court of Appeals today, January 29, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sammy Cowan v. State with the Supreme Court on January 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyrone Shumpert v. State with the Supreme Court on January 14, 2016. Counsel presented an oral argument in the Supreme Court in the case of State v. Melvin P. Stukes on January 13, 2016. Counsel filed the petition for writ of certiorari

and accompanying appendix in the case of Octavia Middleton v. State with the Supreme Court on January 7, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrin Holston v. State with the Supreme Court on December 21, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tremaine Wray v. State with the Supreme Court on December 21, 2015.

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

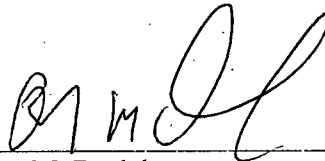
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



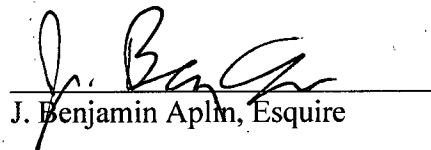
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 29, 2016

I DO NOT OPPOSE:



J. Benjamin Aplm, Esquire