

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

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

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RECEIVED

FEB 29 2016  
RESPONDENT  
SC Court of Appeals

STATE,

V.

WAYMON EUGENE NEWTON,

APPELLANT

APPELLATE CASE NO. 2015-001399

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

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Counsel for Waymon Eugene Newton respectfully requests a **fourth and final** extension of thirty (30) days **until March 30, 2016**, 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 fourth 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. The Court has granted counsel three previous extensions.
2. Counsel for Waymon Eugene Newton respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

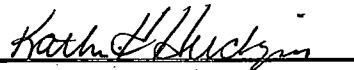
3. Counsel filed a petition for rehearing on the case of Stephen Smalls v. The State on February 22, 2016, with this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marshall Dewitt McGaha v. The State on February 22, 2016, with the Supreme Court. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Gary R. Thompson on February 22, 2016, with the Supreme Court. Counsel filed the brief of petitioner in the case of Willie J. Adams v. The State on February 22, 2016 with the Supreme Court. Counsel filed the Initial Reply Brief in the case of State v. Preston Oates with this court on February 11, 2016. Counsel presented an oral argument in this court in the case of State v. Anthony Bailey on February 10, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ralph Martin with this court on February 3, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurice C. Kinard v. State with the Supreme Court on February 1, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Joshua James Parker with this court on 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.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

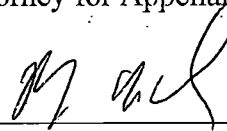
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **March 30, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

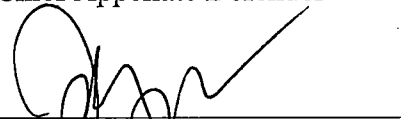


Kathrine H. Hudgins  
Appellate Defender

Attorney for Appellant




Robert M. Dudek  
Chief Appellate Defender



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

This 29<sup>th</sup> day of February, 2016.

I consent:



J. Benjamin Aplin, Esquire