

7th AFB due 3/30/16

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Clarendon County
William Jeffrey Young, Circuit Court Judge

RECEIVED
MAR 30 2016
SC Court of Appeals

STATE,

RESPONDENT,

V.

JONATHAN CODY NEWMAN,

APPELLANT

APPELLATE CASE NO. 2015-000091

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

Counsel for Jonathan Cody Newman respectfully requests a **final thirty (30) day extension, until April 29, 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. 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 for Jonathan Cody Newman 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 his caseload, counsel hopes that no further extension requests will be required.
3. Counsel is currently working on the death penalty case of Anthony Woods v. State wherein the petition for writ of certiorari is due on April 13, 2016 in the Supreme Court. **The appendix is in excess of**

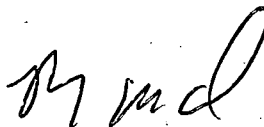
5,400 pages, and co-counsel was forced to go out on maternity leave ahead of schedule. Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training three new appellate defenders and reading all of their writings. In addition counsel now is reviewing applications and will be scheduling interviews for another Appellate Defender position since Appellate Defender Benjamin Tripp has accepted another position. Counsel must also prepare for the oral argument on April 13, 2016 in the death penalty case of State v. Ricky Lee Blackwell in the Supreme Court. Yesterday, March 29, 2016, counsel filed the initial brief of appellant and designation of matter in the case of State v. Elias James Walker with this Court. On March 23, 2016, counsel filed the return to petition for writ of certiorari in the case of Levi C. Wells v. State with the Supreme Court. On March 14, 2016 counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Nathaniel Witherspoon with the Supreme Court. On March 10, 2016 counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Andrew Antonio Clemons with the Supreme Court. On February 25, 2016 counsel filed a petition for rehearing in the case of State v. Ryan P. Deleston with this Court. On February 18, 2016, counsel filed the return to petition for writ of certiorari in the case of Edward Rorecuse Young v. State with the Supreme Court. On February 18, 2016, counsel was co-counsel on the death penalty initial brief of appellant in the case of State v. Luzenski Allen Cottrell that was filed with the Supreme Court. On February 12, 2016, counsel filed the return to petition for writ of certiorari in the case of David Carmichael v. State with the Supreme Court. On February 8, 2016, counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Don-Survi Chisolm with the Supreme Court. On January 29, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in the case of Samuel Thompson, Jr. v. State in the Supreme Court.

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 **final thirty (30) day extension until April 29, 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,



Robert M. Dudek
Chief Appellate Defender

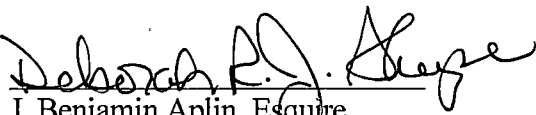
Attorney for Appellant



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

This 30th day of March, 2016.

I consent:

for 
J. Benjamin Aplin, Esquire