

3rd AFB due 10/19/16

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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL  
ORIGINAL

Appeal from Marion County

Honorable William H. Seals, Circuit Court Judge

RECEIVED

OCT 19 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

PRESTON MOZEAK,

APPELLANT

APPELLATE CASE NO. 2015-002530

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 filed the reply to return to petition for writ of certiorari in the case of Marvin Bowens Green v. State with the Supreme Court on October 17, 2016. Counsel filed the initial brief of appellant in the case of State v. Stacy Riden with this Court on October 17, 2016. Counsel filed the initial brief of appellant in the case of State v. Billy Phillips with this Court on October 17, 2016. Counsel filed the initial brief of appellant in the case of In the Interest of: Malik S., A Minor Under the Age of Seventeen with this Court on September 30, 2016. Counsel

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filed the initial brief of appellant in the case of State v. Johnnie Lee Lawson with this Court on September 30, 2016. Counsel filed the initial brief of appellant in the case of In the Matter of Care and Treatment of Roy Lee Wade with this Court on September 16, 2016. Counsel filed the initial reply brief of appellant in the case of State v. Albert E. Siders with this Court on September 6, 2016. Counsel filed the reply to return to petition for writ of certiorari in the case of Sheldon Oakman v. State with the Supreme Court on August 25, 2016. Counsel filed the brief of respondent in the case of Norman Hayes v. State with the Supreme Court on August 17, 2016.

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

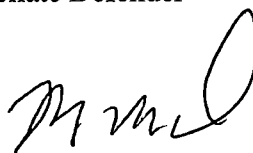
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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,



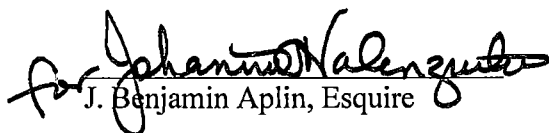
Laura R. Baer  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

October 19, 2016

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire