

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

AUG 29 2018

SC Court of Appeals

Perry H. Gravely, Circuit Judge

Appellate Case No. 2017-002539

The State,.....Respondent,

v.

John Michael Hughes.....Appellant.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE
APPELLANT'S INITIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

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Attorney for Appellant

Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 30-day extension of the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested extension and that there are extraordinary circumstances that support the granting of an extension, as the following shows:

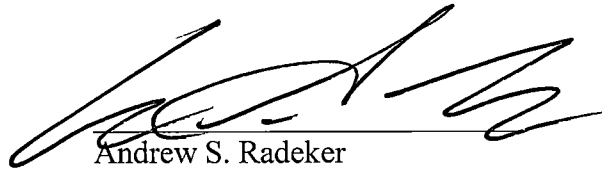
1. The deadline for service and filing of Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal is August 30, 2018.
2. Andrew S. Radeker, the attorney primarily handling this appeal, is a private practitioner who was appointed to represent the Appellant in this case through the appellate project continuing legal education pro bono program coordinated with the Office of Appellate Defense.
3. Mr. Radeker believed that he had made sufficient arrangements to obtain copies of the exhibits admitted in this case so that he could finish reviewing the record.
4. The Greenville County Clerk of Court's office, however, stated that that office would release those exhibit copies only to the Office of Appellate Defense.
5. Mr. Radeker then promptly coordinated with the Office of Appellate Defense, which has requested the exhibit copies.
6. The exhibit copies, however, have not yet arrived. This constitutes an extraordinary circumstance warranting an extension, as appellate

counsel in this case have not been able to review the full trial record. Without being able to review the full trial record, counsel cannot effectively address in the brief the arguments that the Appellant has in this appeal.

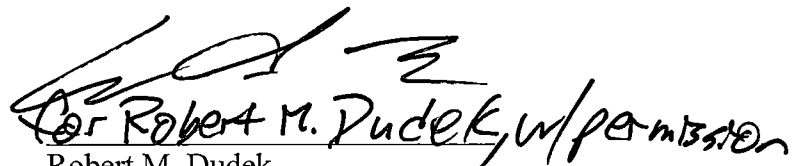
7. Counsel has already set aside time to get this brief finished. Assuming that the exhibit copies timely arrive, counsel sees no reason why any further extension would be required.
8. Among other crimes, the Appellant in this case was convicted of murder, for which he was sentenced to 45 years' imprisonment. To say that the stakes are high is an understatement. The Appellant needs the best work possible done on this appeal.
9. Opposing counsel in this appeal and the Office of Appellate Defense both consent to the extension sought.
10. Appellant's counsel believes there is good cause to grant the requested extension of this deadline and that extraordinary circumstances support the granting of this extension.

WHEREFORE Appellant prays for an order extending the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal by 30 days.

Respectfully submitted,



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August 29, 2018

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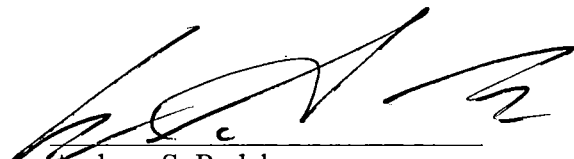
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PROOF OF SERVICE

I certify that I served the foregoing motion for extension of time by depositing a copy of it on the date shown below in the United States Mail, postage prepaid, addressed as follows:

The Hon. Alan M. Wilson
Melody J. Brown, Esq.
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