

THE STATE OF SOUTH CAROLINA  
In the State Supreme Court

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

The Honorable R. Lawton McIntosh

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Appellate Case Number: 2018-001202

Lower Case Number: 2016-CP-07-2267

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Dwayne Chisolm,..... Petitioner  
v.  
State of South Carolina.....Respondent

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**MOTION FOR AN EXTENSION OF TIME**

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Undersigned counsel moves this Court for an order granting Petitioner an extension of time in which to file the initial brief and designation of matter in the above-captioned matter which are currently due on or before September 12, 2018.

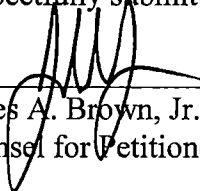
This request is based upon undersigned counsel's felony jury trial involving the charge of Criminal Sexual Conduct with a minor, 2<sup>nd</sup> Degree, in the Beaufort County Court of General Sessions from August 20-August 23, 2018 for another client. (State v Sotelo, 17-GS-07-1124) That client was found not guilty following 24 hours of deliberation in a trial in which the entire proceedings were translated into Spanish. That client's trial also involved a collateral consequence of removal from the country. That client's matter began in July, 2017.

Further, undersigned counsel is scheduled to try a DUI in the Beaufort Municipal Court on September 12, 2018 and a second summary court trial the same week (September 10-14) in

the Beaufort Magistrate Court with a yet unassigned date. Both of these cases also are older than Petitioner's case and both of these dates were set before the briefing date for this matter was set. Both of these cases also involve separate dates for roster meetings and jury selection.

In contrast, Petitioner has not previously requested an extension of time and this matter originated in to receiving Respondent's Initial Brief on December 7, 2018. Finally, the State will suffer no prejudice as Petitioner is currently serving his prison sentence. Therefore, undersigned counsel requests that the Court extend the deadline for thirty days.

Respectfully submitted,

  
\_\_\_\_\_  
James A. Brown, Jr.  
Counsel for Petitioner

September 6, 2018  
Beaufort, SC

Law Offices of Jim Brown, PA  
1600 Burnside Street, Suite 100  
PO Box 592  
Beaufort, SC 29901  
(843) 470-0003

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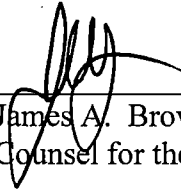
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Dwayne Chisolm,..... Petitioner  
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**CERTIFICATE OF SERVICE**  
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I certify that I have served a copy of this Motion for an extension of time on the State of South Carolina, by depositing a copy of this Motion in the United States Mail, postage prepaid, on September 6, 2018, addressed to its attorney of record, Assistant Attorney General Christian Saville, at South Carolina Attorney General's Office, P.O. Box 11549, Columbia, SC 29211

  
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James A. Brown, Jr.  
Counsel for the Petitioner

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September 6, 2018

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S.C. SUPREME COURT

September 6, 2018

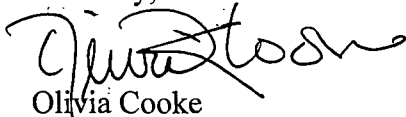
The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court Of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: Dwayne Chisolm vs. State of South Carolina; Appellate Case Number: 2018-001202  
Lower Case Number:2016-CP-07-02267

Mr. Shearouse:

Please see enclosed Motion for Extension of Time for the above mentioned case. Please contact our office should you have any questions or concerns.

Sincerely,



Olivia Cooke

Paralegal to Jim Brown

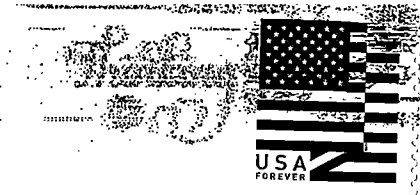
cc: South Carolina Office of Attorney General  
Dwayne Chisolm

w/enclosure

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The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court Of South Carolina  
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