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SEP 24 2018

THE STATE OF SOUTH CAROLINA
In the State Supreme Court

APPEAL FROM COLLETON COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable Diane S. Goodstein

Appellate Case Number: 2018-000970

Lower Case Number: 2015-CP-15-1210

Antwan McMillan,..... Petitioner
v.
State of South Carolina.....Respondent

MOTION FOR AN EXTENSION OF TIME

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 20, 2018.

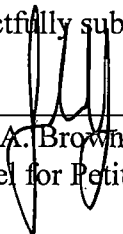
This request is based upon undersigned counsel's work schedule and the effects of the Hurricane Florence threat. To begin, counsel first received the PCR transcript on August 22, 2018. However, undersigned counsel was lead counsel in a felony jury trial involving the charge of Criminal Sexual Conduct with a minor, 2nd 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 picked a jury on September 7, 2018 and prepared for the trial of a 2017 DUI allegation in the Beaufort Municipal Court set for September 12, 2018 (cancelled because of Hurricane Florence) and picked a jury on September 10, 2018 for the trial of an Assault and Battery, 3rd Degree allegation scheduled in the Beaufort Magistrate Court set for a September 14, 2018 (cancelled because of Hurricane Florence). 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.

Then the evacuation orders and school closings related to the threat of Hurricane Florence forced the office closure from September 11-14, 2018 as the office's administrative staff had to care for their seven school aged children.

In contrast, Petitioner has not previously requested an extension of time. 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 20, 2018
Beaufort, SC

Law Offices of Jim Brown, PA
1600 Burnside Street, Suite 100
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(843) 470-0003

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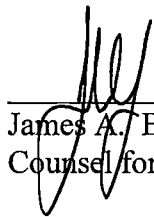
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CERTIFICATE OF SERVICE

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 20, 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



James A. Brown, Jr.
Counsel for the Petitioner

September 20, 2018

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September 20, 2018

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

Re: Antwan McMillan vs. State of South Carolina; Appellate Case Number:2018-000970
Lower Case Number:2015-CP-15-1210

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
Antwan McMillan

w/enclosure

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The Honorable Daniel E. Shearouse
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