

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County

J. C. Buddy Nicholson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

STEWART JEROME MIDDLETON,

APPELLANT

Appellate Case No. 2017-002478

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

RECEIVED  
SEP 28 2018  
SC Court of Appeals

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 attended and presented on case law update at the Public Defender Convention in Myrtle Beach, South Carolina from September 24-26, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher Michael Jackson with this Court on September 19, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Derrick Stone with this Court on September 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of

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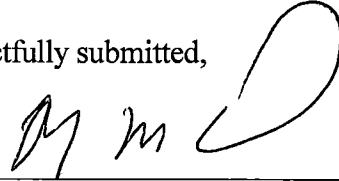
John Ziegler v. The State with the Supreme Court on August 30, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Perry with this Court on August 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Larry Cornish with this Court on August 23, 2018. Counsel filed the return to petition for rehearing in the case of The State v. Jeffrey Andrews with this Court on August 17, 2018. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Richard P. Krochmal with the Supreme Court on August 9, 2018. Counsel filed the petition for rehearing in the case of The State v. Jeffrey Andrews with this Court on August 2, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Derrick Darby v. The State with the Supreme Court on August 1, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ron Santa McCray v. The State with the Supreme Court on July 30, 2018. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders.**

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

4. As indicated by the counsel 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,

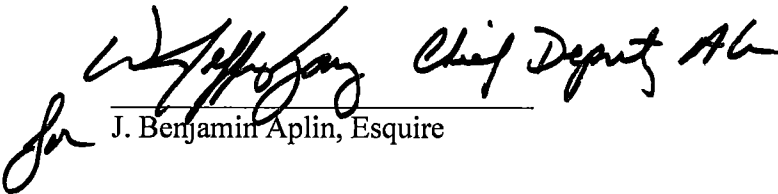


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Robert M. Dudek  
Chief Appellate Defender

September 28, 2018

I DO NOT OPPOSE:



for J. Benjamin Aplin, Esquire Chief Deputy AL