

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of General Sessions

Perry H. Gravely, Circuit Judge

Appellate Case No. 2017-002539

**RECEIVED**  
NOV 01 2018  
SC Court of Appeals

The State.....Respondent,

v.

John Michael Hughes.....Appellant.

MOTION FOR 10-DAY 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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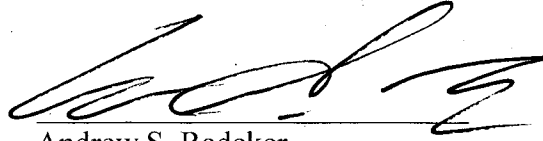
Appellant hereby moves pursuant to Rule 263(b), SCACR, for a 10-day extension of the time in which to serve and file Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in this case. The grounds for this motion are that there is good cause to grant the requested 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 October 31, 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. Lead counsel been working out of the office for almost all of the last three days, handling a bench trial and three out-of-town motion hearings. One of those hearings was an emergency matter that had to be put on the front burner. He has been unable to finish the brief in the midst of that.
4. Further, he also has two trials and an out-of-town motion hearing next week.
5. This confluence of time-consuming court events constitutes an extraordinary circumstance warranting an extension.

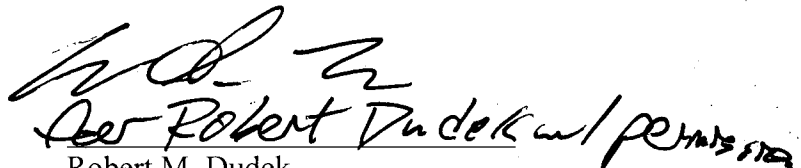
6. Counsel do not seek a full 30-day extension and see no reason why any further extension would be required.
7. Among other crimes, the Appellant in this case was convicted of murder, for which he was sentenced to 45 years' imprisonment. To say that the stakes are high is an understatement. The Appellant needs the best work possible done on this appeal.
8. Opposing counsel in this appeal and the Office of Appellate Defense both consent to the extension sought.
9. 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 10 days.

Respectfully submitted,



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NOV. 1  
October, 2018

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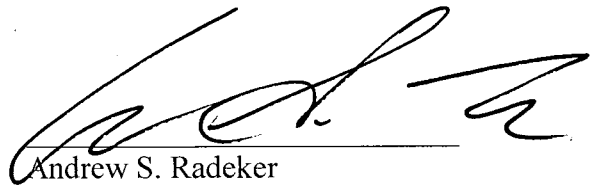
v.

John Michael Hughes.....Appellant.

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.  
S.C. Attorney General's Office  
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November 1, 2018