

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM YORK COUNTY  
Court of General Sessions

William H. Seals Jr., Circuit Court Judge

Appellate Case No. 2019-000363

**RECEIVED**

JUN 03 2019

SC Court of Appeals

General Sessions Case No. 2018-GS-46-08147

The State, ..... Respondent,

v.

Darius J. Stewart, ..... Appellant.

MOTION FOR EXTENSION

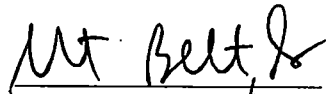
Darius J. Stewart, by and through his undersigned attorney, respectfully requests an extension of thirty (30) days for the transcripts to be ordered in the above case. The sentence of twenty (2) years was imposed by the Honorable William H. Seals, Jr. on February 14, 2019, for Assault and Battery of a High and Aggravated Nature ("ABHAN"). This appeal is taken from the order of the Honorable William H. Seals Jr., dated February 27, 2019, which denied appellant's motion to reconsider. Appellant received written notice of entry of this order on February 27, 2019.

Mr. Stewart was mailed an Affidavit of Indigency to to complete and return to either our office or the South Carolina Commission of Indigency Defense. To date, neither of us has received this affidavit or confirmed whether or not Mr. Stewart has retained private counsel.

Counsel is requesting a phone conference with Mr. Stewart to determine if he is intending to submit the Affidavit of Indigency; therefore, the thirty (30) day extension should be sufficient time for undersigned counsel to ascertain Mr. Stewart's intent.

*(Signature on following page)*

May 31, 2019



Montrio M. Belton  
SC Bar #102189  
125 Hampton Street  
P.O. Box 566  
Rock Hill, SC 29731  
803-324-4529  
Attorney for Appellant

Other Counsel of Record:

Assistant Solicitor Sharon Ohayon

1675-1A York Highway

York, SC 29745

803-628-3020



# Montrio Belton

LAW OFFICES OF MONTRIO BELTON, LLC

May 31, 2019

**Via Certified Mail**

The South Carolina Court of Appeals

Attn: Clerk

PO Box 11629

Columbia, SC 29211

**RECEIVED**

JUN 03 2019

SC Court of Appeals

**RE: State of South Carolina v. Darius Jermale Stewart  
Appellate Case No.: 2019-000363**

Dear Clerk:

Please find enclosed the original and one (1) copy of the Motion for Extension regarding the ordering of transcripts upon receipt of the Affidavit of Indigency in the above-referenced matter.

Upon receipt and if it should meet the Judge's approval, please send the clocked copies and signed Order back to our office in the self-addressed, stamped envelope provided.

Thank you for your time and attention to this matter. Please do not hesitate to contact our office if you have any questions or need further information.

Sincerely,

Montrio M. Belton  
125 Hampton Street, Suite 200  
PO Box 566  
Rock Hill, SC 29731  
(803) 324 - 4529  
Attorney for Appellant

Other Counsel of Record:  
Sharon Ohayon, Assistant Solicitor  
Sixteenth Circuit Solicitor's Office  
1675-1A York Highway  
York, South Carolina 29745  
Attorney for Respondent

**LAW OFFICES OF MONTRIO BELTON, LLC**

125 HAMPTON STREET, SUITE 200  
POST OFFICE BOX 566  
ROCK HILL, SC 29731

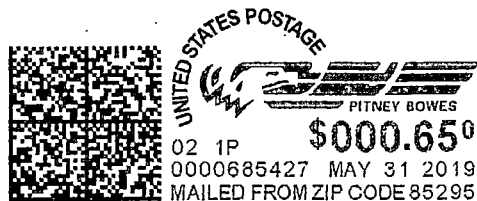
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL®**



7017 2680 0000 3725 5759

U.S. POSTAGE PAID  
FORM LETTER  
ROCK HILL, SC  
29730  
MAY 31, 19  
AMOUNT  
**\$6.35**  
R2304M110402-08



The South Carolina Court of Appeals  
Attn: Clerk  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**  
JUN 03 2019  
SC Court of Appeals