

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Charleston County  
Honorable J.C. Buddy Nicholson, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JAMES MICHAEL BROOKS,

APPELLANT

APPELLATE CASE NO. 2018-002075

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF  
OF APPELLANT AND DESIGNATION OF MATTER

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RECEIVED  
JUL 29 2019  
SC Court of Appeals

Counsel for James Michael Brooks respectfully requests a **fourth and final thirty (30) day extension, until August 28, 2019**, in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for James Michael Brooks respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jamie Mishoe v. The State with the Supreme Court on July 10, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William R. Pearson v. The State with the Supreme Court on July 8, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert A. Baker v. The State with the Supreme Court on July 8, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio Sadler v. The State with the Supreme Court on June 24, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stacy Walker v. The State with the Supreme Court on June 17, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Felicia N. Cooper v. The State with the Supreme Court on June 17, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Edward Maurice Dunn, Jr. v. The State with the Supreme Court on June 3, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard Lee Boatwright v. The State with the Supreme Court on June 3, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jamie Ray Lewis v. The State with the Supreme Court on May 31, 2019.

4. Counsel makes this request in good faith and not for purpose 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.

**Stock, Chris**

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**From:** Dawn K. Nichols <Dawn.Nichols@ppp.sc.gov>  
**Sent:** Monday, July 29, 2019 3:35 PM  
**To:** Stock, Chris; Matthew Buchanan  
**Cc:** Seeger, Victor  
**Subject:** [External] RE: The State v. James Michael Brooks, Appellate Case No. 2018-002075

The State consents to the request.

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**From:** Stock, Chris <cstock@sccid.sc.gov>  
**Sent:** Monday, July 29, 2019 3:34 PM  
**To:** Dawn K. Nichols <Dawn.Nichols@ppp.sc.gov>; Matthew Buchanan <Matthew.Buchanan@ppp.sc.gov>  
**Cc:** Seeger, Victor <vseeger@sccid.sc.gov>  
**Subject:** The State v. James Michael Brooks, Appellate Case No. 2018-002075

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links; especially from unknown senders.

Dear Mr. Buchanan:

The Initial Brief of Appellant and Designation of Matter in the above case are due to be served and filed with the Court today. However, due to my heavy work-load, I am requesting a thirty day extension in which to serve and file this brief.

I am asking that you kindly consent to my request.

Sincerely,

Victor Seeger

Appellate Defender

**Chris Stock**  
Administrative Assistant  
Commission on Indigent Defense  
Appellate Division  
(803) 734-1330

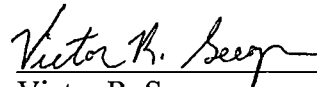
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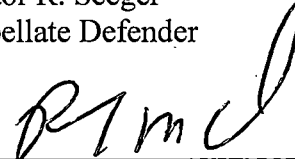
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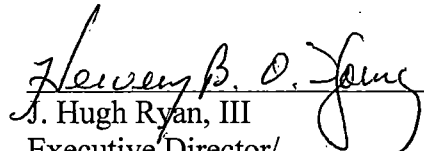
5. Counsel for the Attorney General's office consents to this request shown by the attached e-mail.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension, until August 28, 2019**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
\_\_\_\_\_  
Victor R. Seeger  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

  
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J. Hugh Ryan, III  
Executive Director/  
Hervy B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director