

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

JAMES IVAN AIKEN #294853,
Appellant,

v.

STATE OF SOUTH CAROLINA
Respondent.

SOUTH CAROLINA RECEIVED
AUG 30 2023
COURT OF APPEALS SSC Court of Appeals

APPELLATE Case No. 2023-061187
RECEIVED
Aug 30 2023

MOTION FOR EXTENSION
OF TIME OR REIN-
STATEMENT OF TIME
S.C. SUPREME COURT

COMENOW James I. Aiken (Appellant), before this honorable court on a MOTION FOR EXTENSION OF TIME OR REINSTATEMENT OF TIME. This MOTION IS WRITTEN PURSUANT TO SCACR, Rule 240(a); Appellant will respectfully show the Honorable Court the following:

ON June 26, 2023, Appellant submitted and granted an Extension OF TIME OF 60 days FROM the date of filing. However, Appellant did not have surgery until July 20, 2023. ON OR ABOUT July 19, 2023, Appellant filed a Notice of Appeal in the instant case with Patricia A. Howard, Clerk of the Supreme Court.

On August 7, 2023, Appellant was seen by the neuro-surgeon who performed the surgery, and instructed Appellant "I don't want you lifting anything heavier than a milk carton and I will see you in 6-8 weeks (September 4 - September 18, 2023) to examine you and begin your physical therapy."

On August 7, 2023, Appellant returned to his assigned institution. On July 31, 2023, the mainroom staff received written notice from the Supreme Court that his case has been assigned to the Court of Appeals. Appellant did not receive written notice until August 14, 2023, due to security lock down, that he needed to provide an explanation as to why the order of the Circuit Court was improper.

Additionally, Appellant's assigned institution is extremely short of staff. 150 officers are required to run two (2) shifts, but there is only 49 officers employed at institution to run the daily operations of (1,000) plus inmates which affects access to the Law Library and the assistance of clerks.

Based upon the foregoing reasons, Appellant requests a 60 day extension from the date of this filing.

Wherefore, Appellant pray his request is granted.