

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Cherokee County
R. Keith Kelly, Circuit Court Judge

RECEIVED
JUN 11 2014
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KENNETH GERALD BUTLER,

APPELLANT

APPELLATE CASE NO. 2013-002455

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

Counsel for Kenneth Butler respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Kenneth Butler 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 her caseload, counsel hopes that no further extension requests will be required.

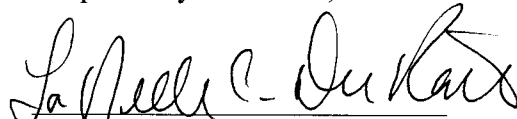
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Maxwell v. State of South Carolina with the Supreme Court on June 9, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Erwin Moon with this Court on June 5, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. David Eugene Rosier, Jr. with this Court on June 4, 2014. Counsel had an oral argument in the case of The State v. Roderick Pope in this Court on June 2, 2104. Counsel filed the return to petition for rehearing in the case of The State v. Travas D. Jones with this Court on May 20, 2014. Counsel filed the brief of petitioner in the case of The State v. Kevin Shane Epting with the Supreme Court on May 14, 2014. Counsel filed a petition for writ of certiorari in the case of Clarence Robinson v. State of South Carolina with the United States Supreme Court on May 13, 2014. Counsel filed a petition for writ of certiorari in the case of The State v. James A. Giles with the United States Supreme Court on May 13, 2014. Counsel filed the brief of petitioner in the case of The State v. Christopher Ryan Whitehead with the Supreme Court on May 13, 2014. Counsel had an oral argument in the case of The State v. Jake Antonio Wilson in the Supreme Court on May 8, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Bruce Wilson v. State of South Carolina with the Supreme Court on May 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rudolph Israel Edwards with this Court on April 30, 2014. Counsel filed the petition for rehearing in the case of The State v. Andrew James Harrelson with this Court on April 16, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Marvin Xavier Porcher with this Court on April 15, 2014.

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

5. Counsel for the Attorney General's office consents to this request shown by signature below.

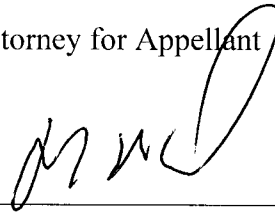
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

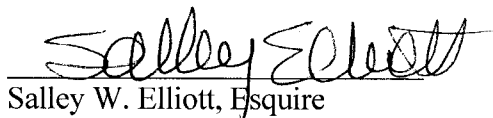
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 11th day of June, 2014.

I consent:


Salley W. Elliott, Esquire