

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

JUN 30 2014

APPEAL FROM ORANGEBURG COUNTY  
Court of General Sessions

**SC Court of Appeals**

Doyet A. Early, III, Circuit Court Judge

Appellate Case Nos. 2012-213596

State of South Carolina.....Respondent

v.

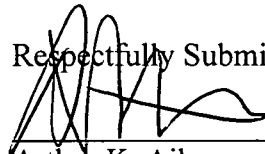
Cleophas Edwards.....Defendant/Appellant

**APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME TO FILE INITIAL  
REPLY BRIEF AND REPLY DESIGNATION OF MATTER**

The Appellant, Cleophas Edwards (Edwards), hereby moves, in accordance with Rule 224 SCACR, for a second ten (10) day extension of time to file and serve his initial reply brief and designation of matter. These filings are now due on June 26, 2014. This extension will make these filings due on or before July 7, 2014. The reasons supporting this extension are set forth in the attached Affidavit of the Appellant's attorney, Arthur K. Aiken.

**WHEREFORE**, Edwards prays that this Court enter an order granting this extension.

Respectfully Submitted



Arthur K. Aiken  
Aiken & Hightower, PA  
2231 Devine Street, Suite 201  
Columbia, SC 29205  
Telephone: 803-799-5205  
Fax: 803-799-5206  
Email: art@aikenandhightower.com  
**ATTORNEY FOR APPELLANT**

June 26, 2014  
Columbia, SC

AIRB 2nd

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State of South Carolina.....Respondent

v

Cleophas Edwards.....Defendant/Appellant

**AFFIDAVIT OF ARTHUR K. AIKEN**

The undersigned, Arthur K. Aiken, personally appearing before me and having been duly sworn, deposes and says:

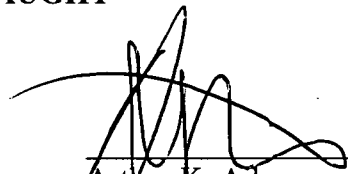
1. I am the attorney for the Defendant/Appellant, Cleophas Edwards (Edwards) in the above captioned criminal appeal.
2. I represent Edwards pro bono as a participant in the South Carolina Appellate Project.
2. My client's initial reply brief and reply designation of matter are now due on June 26, 2014, and this deadline was previously extended for a period of ten (10) days.
3. I find myself unable to meet this deadline because of competing obligations to other client and the length of the Respondent's Initial Brief.
4. When I received my copy of the Respondent's Initial Brief, I had just completed a federal criminal trial, and I was working on the post trial filings.
5. As soon as I finished the post-trial filings in my federal criminal case, I had to respond to a motion to dismiss an appeal pending before the South Carolina Supreme Court.

6. I am now also working on briefs in an appeal pending before the South Carolina Supreme Court

6. Even without these other obligations, I would probably still need this extension because the Respondent's Initial Brief runs forty-nine (49) pages long, and cites sixty-three (63) cases.

6. I request that this Court grant me an additional ten (10) day extension to make the above filings.

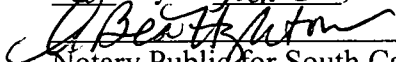
**FURTHER YOUR AFFIANT SAYETH NAUGHT**



Arthur K. Aiken

SWORN to and SUBSCRIBED before me this

26<sup>th</sup> day of June, 2014



Notary Public for South Carolina

My Commission Expires: 9-27-2020

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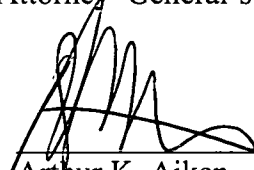
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v.

Cleophas Edwards.....Defendant/Appellant

PROOF OF SERVICE

I certify that I have served the Appellant's Motion for Extension of Time to File Initial Reply Brief and Reply Designation of Matter on counsel for the State on June 26, 2014 by mailing a copy of the above to Donald J. Zelenka, S.C. Attorney General's Office, P.O. Box 11549 Columbia, SC 29211-1549.



Arthur K. Aiken  
Aiken & Hightower, PA  
2231 Devine Street, Suite 201  
Columbia, SC 29205  
Telephone: 803-799-5205  
Fax: 803-799-5206  
Email: [andrea@aikenandhightower.com](mailto:andrea@aikenandhightower.com)

June 26, 2014  
Columbia, SC

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**AIKEN & HIGHTOWER, P.A.**

*Attorneys at Law*

2231 Devine Street, Suite 201

Columbia, SC 29205

Phone: 803-799-5205

Fax: 803-799-5206

*Arthur K. Aiken, Esq.*

*A. Bea Hightower, Esq.*

June 26, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: State of South Carolina v. Cleophas Edwards  
Appellate Case No.: 2012-213596

Dear Ms. Kitchings:

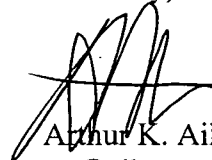
Enclosed for filing please find the original and seven (7) copies of the Proof of Service, Appellant's Motion for Extension for Time, and Affidavit of Arthur Aiken, attorney for Appellant, in the above-referenced matter. Please return a date-stamped copy to our office in the enclosed, self-addressed, stamped envelope at your earliest convenience.

I have also enclosed our firm's \$25.00 check for the filing fee. By copy of this letter, I have served the enclosed on counsel for the State, Donald J. Zelenka.

Please call me if you have any questions or need any clarification regarding these enclosures.

Thank you for your help.

Sincerely,



Arthur K. Aiken

art@aikenandhightower.com

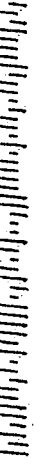
Enclosures as stated

cc: Donald J. Zelenka (w/Motion and Affidavit enclosed)

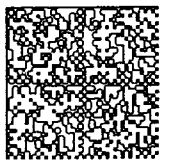
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Aiken & Hightower, PA  
2231 Devine Street Suite 201  
Columbia, SC 29205



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The Honorable Jenny Abbott Kitchings,  
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