

The South Carolina Court Of Appeals

The State, **Ré**spondant,

V.

Kevin Choice, Appellant,

Appellant Case No.2013-002735

Motion For Rehearing Enbanc

Comes, Now the Appellant motions this court for rehearing enbanc of the most recent order issued denying extension of time to retain counsel, filed July 2, 2014. Appellant contends that the reason for the extension was to generate funds to retain counsel. However, Appellant has not had enough time to do so and this has created a great burden upon the Appellant where this court refuses to appoint counsel, due to the inapplicable citing of State v. Clinkscales,. Unlike Clinkscales, Appellant was in fact represented by counsel at every stage of his motion for new trial. In fact counsel was appointed by the lower court. Also Appelant's record will reflect evidence that will support a new trial. Based upon these facts, Clinkscales is not applicable to the Appellant's case, and therefore, should be appointed counsel due to the fact that this court has not allow him the time in which to retain counsel.

Respectfully Submitted:



Kevin L. Choice, Appellant.

cc:

Clerk S.C. Court of Appeals

Donald J. Zelenka, Esq.

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SC Court of Appeals

The South Carolina Court of Appeals

The State, Respondent,

v.

Kevin Choice, Appellant.

Appellate Case No. 2013-002735

ORDER

Appellant has filed for an extension of time to retain counsel. On June 2, 2014, this Court granted Appellant a thirty day extension to retain counsel and further ordered that any further extension requests must be based on a showing of good cause. Because Appellant has failed to show good cause, his request for an extension is denied. Within thirty days, Appellant shall file and serve his initial brief and designation of matter.


FOR THE COURT

Columbia, South Carolina

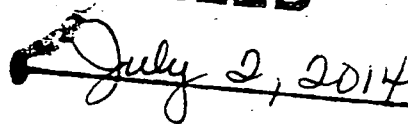
cc:

Kevin Choice, 257223

Alan McCrory Wilson, Esquire

Donald J. Zelenka, Esquire

FILED


July 2, 2014

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SC Court of Appeals

Mr. Kevin L. Choice, 257223
Lee Correctional Inst.
[Darlington - N- 2132]
990 Wiscaky Hwy
Bishopville, SC 29010

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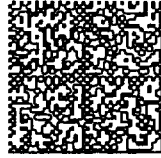
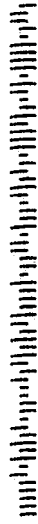
South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
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