

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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OCT 13 2014

**SC Court of Appeals**

APPEAL FROM ORANGEBURG COUNTY  
Court of General Sessions

Doyet A. Early, III, Circuit Court Judge

Appellate Case Nos. 2012-213596

State of South Carolina.....Respondent

v.

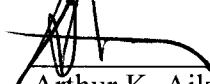
Cleophas Edwards.....Defendant/Appellant

**APPELLANT’S THIRD MOTION FOR EXTENSION OF TIME TO SERVE RECORD  
ON APPEAL**

The Appellant, Cleophas Edwards (Edwards), hereby moves, in accordance with Rule 224 SCACR, for a ten (10) day extension of time to serve the record on appeal (ROA) in this case. The current deadline for service of the ROA is now October 8, 2014. This extension will require service of the ROA on or before October 18, 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**

October 8, 2014  
Columbia, SC

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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.
3. This is Edwards' appeal of a murder conviction by jury verdict that followed a five day trial.
4. The current deadline for filing the record on appeal is October 8, 2014, and this deadline has been extended twice, first from August 6, 2014 and second from September 8, 2012.
5. I find myself unable to meet this deadline because an illness of our firm's one staff member has kept her away from the office.
6. My elderly mother-in-law is also not well, and this has kept my wife, who is the only other lawyer in our firm, away from the office.

7. I am informed and believe that there is good cause to extend the October 8, 2014 deadline ten (10) days to October 18, 2014.

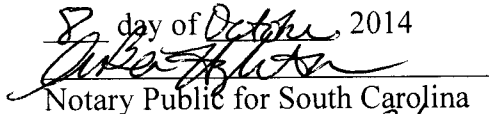
**FURTHER YOUR AFFIANT SAYETH NAUGHT**



Arthur K. Aiken

SWORN to and SUBSCRIBED before me this

8 day of October, 2014



Notary Public for South Carolina

My Commission Expires: 9/20/2017

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PROOF OF SERVICE

I certify that I have served the Appellant's Motion for Extension of Time to File Record on Appeal on counsel for the State on October 8, 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  
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October 8, 2014  
Columbia, SC

**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.*

October 8, 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 Appellant's Third Motion for Extension of Time to Serve Record on Appeal, and Affidavit of Arthur K. Aiken 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.

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/enclosure)

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& Hightower, PA  
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