

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HAMPTON COUNTY
Court of General Sessions

Perry M. Buckner, Circuit Court Judge

Case Nos. 2013-GS-25-0073; 2013-GS-25-0075;
2013-GS-25-0079; 2013-GS-25-0080

The State,

Respondent,

v.

JAMES GARDNER,

Appellant.

MOTION FOR EXTENSION

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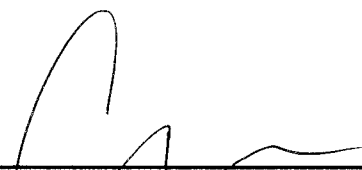
MAR 06 2015

SC Court of Appeals

The Appellant would respectfully request a thirty (30) day extension of time within which to obtain the appropriate Affidavit of Indigency. Counsel for the Appellant is awaiting the return of the Affidavit of Indigency from the Appellant so that he may forward the affidavit to the SCCID. This affidavit is needed for a determination by the Office of Appellate Defense as to whether he qualifies for the services of this office pursuant to Rule 602(E). This motion is made upon the ground that an extension as requested would be in the best interest of justice, and would not prejudice the Respondent.

It is accordingly respectfully requested that the Appellant be granted a thirty (30) day extension of time within which to file the Appellant's Affidavit of Indigency.

March 4, 2015



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LAW OFFICES

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KIMBERLY L. SMITH

*ALSO MEMBER OF GA BAR

February 23, 2015

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: The State, Respondent, v. James Gardner, Appellant
Appellate Case No.: 2015-000286

Dear Ms. Kitchings:

Enclosed for filing are the original and one copy of the Appellant's Motion for Extension to Filing the Affidavit of Indigency in the above referenced matter. Please return a filed copy to me in the self-addressed stamped envelope at your earliest convenience.

With kindest regards, I am

Very truly yours,

MOSS, KUHN & FLEMING, P.A.

Cory H. Fleming

CHF/tk

Enclosures: As stated

Cc: Salley W. Elliott, Office of the Attorney General
South Carolina Commission on Indigent Defense
Tameaka Legette, Assistant Solicitor

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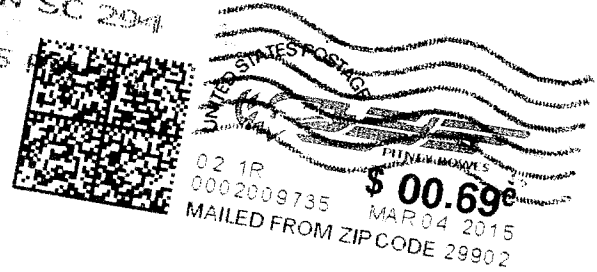
SC Court of Appeals

CHF

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04 MAR 2015



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