

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

Appeal from Sumter County

George C. James, Jr., Circuit Court Judge

RECEIVED

SEP 04 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

LONDON A. KELLEY,

APPELLANT

APPELLATE CASE NO. 2014-002412

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

Counsel 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 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.

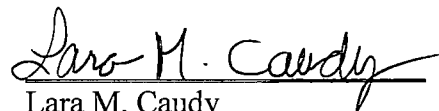
3. Counsel is currently preparing for the oral argument in Frankie Lee Bryant v. State scheduled for Tuesday, September 8, 2015 before this Court. On August 25, 2015, counsel filed the brief of appellant and record on appeal in State v. David Dover with this Court. On August 19, 2015, counsel filed the initial brief of appellant and designation of matter In the matter of the care and treatment of Carl M. Asquith with this Court. On August 13, 2015, counsel filed a petition for rehearing in State v. Stepheno Jermain Alston with this Court. On August 10, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Joseph J. Magni v. State with the Supreme Court. On August 10, 2015, counsel filed the brief of appellant and record on appeal in State v. Otis Robinson with this Court. On July 29, 2015, counsel filed the initial brief of appellant and designation of matter in State v. Wayland Purnell with this Court. On July 29, 2015, counsel also filed the brief of petitioner in Luther Garner v. State with the Supreme Court. On July 27, 2015, counsel filed the initial brief of appellant and designation of matter in State v. Wayland Purnell with this Court. On July 20, 2015, counsel filed the initial brief of appellant and designation of matter In the matter of the care and treatment of Dewey Chadwick with this Court. On July 14, 2015, counsel filed the initial brief of appellant and designation of matter in State v. Philenza Pritchett with this Court. On July 6, 2015, counsel filed the initial brief of appellant and designation of matter in State v. Frank Terrance Singleton, III with this Court. On June 17, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in David L. Parker v. State with the Supreme Court.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

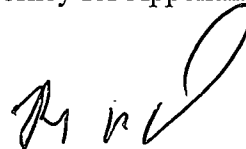
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Lara M. Caudy
Appellate Defender

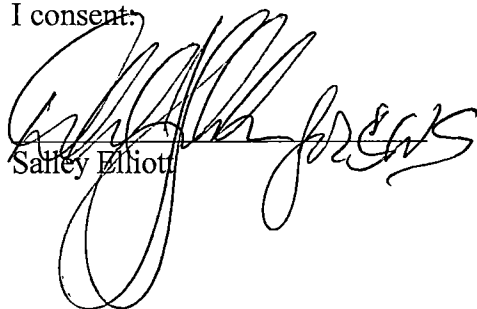
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 4th day of September, 2015

I consent:



Sally Elliott