

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
George C. James, Jr., Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

V.

LONDON A. KELLEY,

APPELLANT

RECEIVED
OCT 07 2015
SC Court of Appeals

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 a **final extension of thirty (30) days until November 6, 2015**, 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 fourth 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 three 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. On October 2, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Levon D. Black v. State with the Supreme Court. On October 1, 2015, counsel filed the

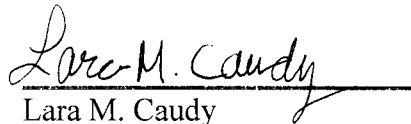
brief of appellant and designation of matter in State v. Carnail Marchindla Graham with this Court. On September 21-23, 2015, counsel attended the Public Defender Conference in Myrtle Beach. On September 18, 2015, counsel filed a petition for rehearing in State v. Tiphani Marie Parkhurst with this Court. On September 15, 2015, counsel held an oral argument in State v. Don Survi Chisolm before this Court. On September 8, 2015, counsel held an oral argument in State v. Frankie Lee Bryant 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.

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.

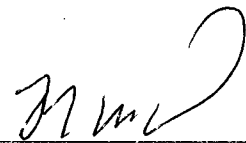
5. Counsel for the Attorney General's office consents to this request shown by signature below.

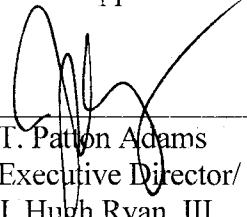
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until November 6, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Lara M. Caudy
Appellate Defender

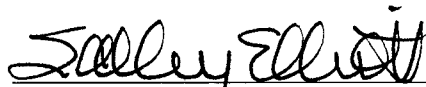
Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender


T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel

This 7th day of October, 2015

I consent:


Salley W. Elliott