

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Greenville County  
Honorable Edward W. Miller, Circuit Court Judge  
Appellate case Tracking No. 2011-196686

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The State,

Respondent,

vs.

Kenneth S. Bolden,

Appellant.

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**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

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Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on September 14, 2012.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a third extension in the above referenced appeal. Due to work required in other cases pending before this Court and the

South Carolina Supreme Court, I am unable to complete this Brief on time. The undersigned has completed briefs in State v. Harrison, State v. Burton, State v. Tyre, State v. Norris, In the Interest of Resean L, State v. Middleton, State v. Chen, State v. Paugh, State v. Moore, State v. Wright, State v. Pitts, and State v. Blakely, State v. Barton, State v. Dumas, and State v. Rogers. The undersigned has completed a Petition for Writ of Certiorari in State v. Collins, In the Matter of the Care and Treatment of Way, State v. Watkins, State v. Hercheck, and State v. Sawyer, as well as a Return to the Petition for Writ of Certiorari in State v. Welch, In the Matter of the Care and Treatment of Way, State v. Burdine, State v. Kromah. The undersigned has completed a Brief of Respondent in State v. Baker, State v. Wright and State v. Gamble. Additionally, the undersigned has completed a Petition for Rehearing in State v. Hawes and State v. Kinloch.

### III.

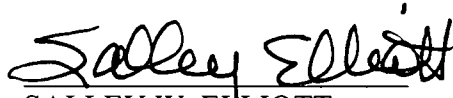
This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. The undersigned hopes to have the Initial Brief completed in a timely manner. I would therefore request a third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General



SALLEY W. ELLIOTT  
Senior Assistant Deputy Attorney General



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ATTORNEYS FOR RESPONDENT

September 14, 2012

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**PROOF OF SERVICE**

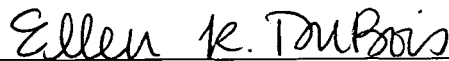
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I, Ellen R. DuBois, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief Of Respondent And Designation Of Matter on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

LaNelle C. DuRant, Esquire  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
P. O. Box 11589  
Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.

This 14<sup>th</sup> day of September, 2012.



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