

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM THE SOUTH CAROLINA COURT OF APPEALS  
THE HONORABLE DANIEL F. PIEPER  
THE HONORABLE JOHN D. GEATHERS, JJ.,  
THE HONORABLE JASPER M. CURETON

Case No. 08-ALJ-30-0061-AP

Kenneth Lee Holbert, Jr., .....Appellant,

**RECEIVED**

MAY 09 2012  
pm 4-30-12  
S.C. SUPREME COURT

v.

South Carolina State Board for Technical and  
Comprehensive Education, ..... Respondent.

MOTION FOR EXTENSION OF TIME TO FILE A MOTION FOR WRIT OF CERTIORARI

Now into Court come the Appellants who respectfully request an extension of time to file a motion for writ of certiorari in the above captioned case (Petition for rehearing filed March 29, 2012).

Based on the following arguments, Appellants move for the Court to consider the request for extension of time to file a motion for writ of certiorari.

*30 days*

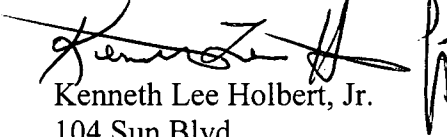
- I. **The Appellant request more time in order to retain counsel to properly review the record and to prepare the motion. I am also requesting the extension to organize and prepare documents to determine the plausibility of including recent medical decisions that directly relate to the lower courts**

basis in their decisions. The other reason for this extension is associated with the review of information regarding the respondent's admission that the appellants termination was due to leave miscalculations by the employing state agency. The evidentiary proof consists of the respondent's instruction to the appellant to discuss these matters directly with the employing agency's personnel manager and director when these miscalculations were recently discovered by both parties. Respondents counsel has not allowed the discussion of this matter.

#### CONCLUSION

Based on the forgoing I request an extension of time to retain counsel and file a motion for writ of certiorari.

Respectfully submitted,

  
Kenneth Lee Holbert, Jr.  
104 Sun Blvd  
Easley, SC 29642  
(864) 269-2838

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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MOTION FOR EXTENSION OF TIME TO FILE A MOTION FOR WRIT OF  
CERTIORARI

THE HONORABLE DANIEL F. PIEPER  
THE HONORABLE JOHN D. GEATHERS, JJ.,  
THE HONORABLE JASPER M. CURETON

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Kenneth Lee Holbert, Jr.,.....Appellant,

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Comprehensive Education,..... Respondent.

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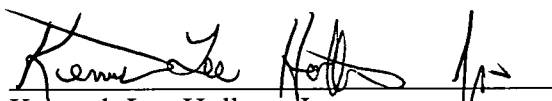
CERTIFICATE OF SERVICE

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I certify that on April 30, 2012 I served on behalf the following: REQUEST FOR EXTENSION OF TIME TO FILE A MOTION FOR WRIT OF CERTIORARI by delivering copies via the U.S. Mail, first class postage prepaid, addressed to the Respondent's counsel of record for the appeal and others as follows:

Charles Boykin  
Boykin & Davis, LLC  
P.O. Box 11844  
Columbia, SC 29211

Respectfully submitted,

  
Kenneth Lee Holbert, Jr.

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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MOTION FOR EXTENSION OF TIME TO FILE A MOTION FOR WRIT OF  
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The South Carolina Court of Appeals  
Attention: The Honorable V. Claire Allen  
Post Office Box 11629  
Columbia, South Carolina 29211

Respectfully submitted,

  
Kenneth Lee Holbert, Jr.



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

March 29, 2012

Kenneth Lee Holbert, Jr.  
104 Sun Boulevard  
Easley, SC 29642

Re: Holbert, Kenneth v. SCSB T. C. Education

Dear Mr. Holbert:

Enclosed is a copy of an Order of the Court denying your Petition for Rehearing in the above case.

The Remittitur in this case will be held in this Court only so long as required by Appellate Court Rule 221 (b).

Please notify this office, in writing, within ten (10) days from the date of this letter, whether or not you want any of the remaining Records on Appeal and briefs we may have in this case. Also enclose a check payable to the S. C. Court of Appeals, in the amount of \$7.50, to cover mailing costs. If we have not heard from you within ten (10) days, the Record on Appeal and briefs will be disposed of.

Sincerely,

A handwritten signature in cursive script that reads "V. Claire Allen".

V. Claire Allen  
Deputy Clerk of Court

VCA/tf

cc: J. Falkner Wilkes, Esquire  
Deidre D. Laws, Esquire

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Appellant,

v.

South Carolina State Board for  
Technical and Comprehensive  
Education,

Respondent.

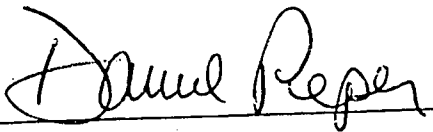
The Honorable Marvin F. Kittrell  
Administrative Law Court  
Trial Court Case No. 2008-AL-30-00061

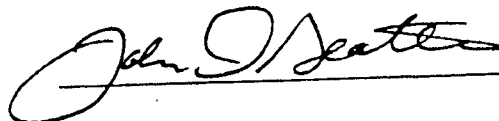
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## ORDER DENYING PETITION FOR REHEARING

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PER CURIAM: After a careful consideration of the Petition for Rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded and hence, there is no basis for granting a rehearing. It is, therefore, ordered that the Petition for Rehearing be denied.

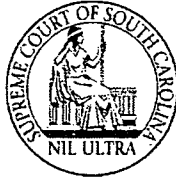
  
\_\_\_\_\_ J.

  
\_\_\_\_\_ J.

  
\_\_\_\_\_ A. J.

Columbia, South Carolina

cc: J. Falkner Wilkes, Esquire  
Deidre D. Laws, Esquire



# The Supreme Court of South Carolina

Angela and Kenneth Lee Holbert

05/02/2012

## RECEIPT #64054

<b>Fee Type:</b>	Motion Fee
<b>Amount:</b>	\$25.00
<b>Payment Type:</b>	Check
<b>Reference No:</b>	2393
<b>Check/Money Order Date:</b>	04/30/2012
<b>Comments:</b>	Holbert v. SC State Board for Technical and Comprehensive Education

COA# 2009-121926