

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Orangeburg County  
Maite Murphy, Circuit Court Judge

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STATE,

RESPONDENT,

V.

ARCHIE MORE HARDING,

APPELLANT

APPELLATE CASE NO. 2015-000516

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PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

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The undersigned counsel respectfully requests a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

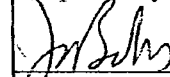
1. The initial brief of appellant and designation of matter in this case are due to be served and filed Monday, January 11, 2016.
2. An extension has been granted in this matter, such extension expiring March 11, 2016.
2. Despite counsel's best efforts, this office's current heavy caseload has prevented counsel from completing the Initial Brief and Designation of Matter by the applicable deadline.
3. This request is made in good faith, and not for purposes 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 fewer extensions will need to be requested.

4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a fifteen-day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Daniel C. Boles  
Appellate Defender

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Robert M. Dudek  
Chief Appellate Defender

March 11<sup>th</sup>, 2016

I do not oppose:

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Ben Aplin, Esquire

## Orr, Jacklyn

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**From:** Kitchings, Jenny  
**Sent:** Monday, March 14, 2016 11:59 AM  
**To:** Orr, Jacklyn  
**Subject:** FW: extension question; State v. Hardin  
**Attachments:** Motion for Extension2.pdf

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**From:** Dan Boles [<mailto:Dan@boleslawfirmllc.com>]  
**Sent:** Friday, March 11, 2016 12:07 PM  
**To:** Kitchings, Jenny  
**Subject:** Re: extension question; State v. Hardin

forgot to attach the signed version.

Sincerely,

Daniel C. Boles  
23 Broad Street | 3870 Leeds Avenue, Ste. 105 | P.O. Box 381  
Charleston, SC 29402  
843.576.5775 ext. 101  
800.878.5443 f  
[www.boleslawfirmllc.com](http://www.boleslawfirmllc.com)

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**From:** Kitchings, Jenny <[jkitchings@sccourts.org](mailto:jkitchings@sccourts.org)>  
**Sent:** Friday, March 11, 2016 8:37 AM  
**To:** Dan Boles  
**Subject:** RE: extension question; State v. Hardin

Hey Dan! We are pretty generous with extensions, but have been cracking down in recent years once you get more than three. And for the appellate practice project, we start counting based on the total number of extensions per case, not per attorney. That said, we understand everyone has lives to get back to, so if you provide us something that complies with the Supreme Court order on extensions and sets forth adequate circumstances, you stand a good chance of getting the extension.

I hope this helps, and I hope you have a fabulous weekend.

**Jenny Abbott Kitchings**  
*Clerk of Court*  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
Ph: (803) 734-1891  
Fax: (803) 734-1839  
[jkitchings@sccourts.org](mailto:jkitchings@sccourts.org)

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**From:** Dan Boles [<mailto:Dan@boleslawfirmllc.com>]  
**Sent:** Thursday, March 10, 2016 3:56 PM  
**To:** Kitchings, Jenny  
**Subject:** extension question; State v. Hardin

Hi Jenny.

Working away on this initial brief from the indigent defense project. I've already been extended from January 11 to tomorrow. It should be done by then.

just curious, what is an acceptable number of extensions? do they ever do like a 10 day extension?

thanks again for the help you've given me so far.

Sincerely,

Daniel C. Boles  
23 Broad Street | 3870 Leeds Avenue, Ste. 105 | P.O. Box 381  
Charleston, SC 29402  
843.576.5775 *ext.* 101  
800.878.5443 *f*  
[www.boleslawfirmllc.com](http://www.boleslawfirmllc.com)

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