

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County

Edward W. Miller, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KENNETH BOLDEN,

APPELLANT

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

Counsel for Kenneth Bolden 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, February 3, 2012. The Court has granted counsel two previous extensions.

2. Counsel for Mr. Bolden 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 his caseload, counsel hopes that no further extension requests will be required.

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3. On January 27, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Anthony Tilmon. On January 25, 2012, counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of In the Matter of the Care and Treatment of Vincent Way and the petition for writ of certiorari and appendix in the case of Andre Methelus v. State. On January 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Shawn Reaves and the petition for rehearing in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez. On January 17, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Bobby Barton. On January 3, 2012, counsel filed the petition for writ of certiorari, the brief of appellant pursuant to White v. State and appendix in the case of Clarence Robinson v. State. On December 22, 2011, counsel filed the petition for rehearing in the case of State v. Tarus Henry. On December 21, 2011, counsel filed the initial brief of appellant and designation of matter in the case of State v. Kevin Burgess. On December 7, 2011, counsel filed the petition for writ of certiorari and appendix in the case of James Abercrombie v. State and had an oral argument in the case of In the Matter of the Care and Treatment of Orlando Williams in the Court of Appeals. On December 6, 2011, counsel had an oral argument in the case of State v. James Nash in this 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,

LaNelle C. Durant

LaNelle C. Durant
Appellate Defender

Attorney for Appellant

R M Dudek
Robert M. Dudek
Chief Appellate Defender

This 3rd day of February, 2012.

I consent:

Hugh M. Combs, Jr.

FOR

Salley Elliott, Esquire

GRANTED

JOHN CANNON FEW, C.J.
FOR THE COURT

By: *V. Claire Allen*

(Clerk) (Deputy Clerk)

FILED

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