

STATE OF SOUTH CAROLINA
In The Court of Appeals

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Appeal From Horry County
Court of General Sessions / Drug Court

SC Court of Appeals

BENJAMIN H. CULBERTSON, CIRCUIT COURT JUDGE

Appellate Case No. 2016-001153

2015 GS 260-2379

Drug Court No. 150150119

The State, Respondent,

v.

Kenneth Ray Boynton, Appellant.

TO: Joshua Holford, Esq
POB 1276
Conway, SC 29528

NOTICE AND MOTION FOR
EXTENSION OF TIME

HEREIN COMES NOW appellant moves the Court for
a 15 days extension of time to file a Thrift response
under SCACR

This 05 day of July 2016

Certificate of Service

DATED, SIGNED and Mailed
to government's attorney who
is set forth above herein
this 05 day of July 2016

S/ Kenneth R. Boynton

S/ Kenneth R. Boynton
Kenneth Ray Boynton, 192112
WCI, F3-245, 4340 Broad River Road
Columbia, SC 29210

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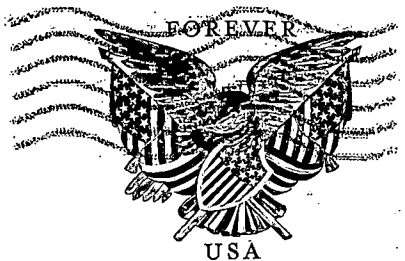
Pro Se Thrift Response

1. Did Horry County Drug Court (HCDC) have jurisdiction of Beynton to "REMAINED to the custody of the South Carolina Department of Corrections for the execution of the sentence imposed by the Honorable Benjamin Culbertson on" 9-16-15 which was done on 3-2-16 where Mims v. State, 259 S.E.2d 662, 663 (1979) set forth, (when a judge suspends a sentence, he in effect says to the defendant, "You will not be required at this time to serve your sentence, but you may go free 'during good behavior'".)?
2. Has Judge Ward of HCDC violated the due process procedure announced or followed in State v. Perkins, 661 S.E.2d 356 (2008)?
3. If Judge Ward of HCDC had jurisdiction to revoke the 9-16-15 sentence of the circuit court, would it be permissible for Judge Ward to consider a second drug testing procedure administered thereafter an initial first drug testing procedure where the time period was not in excess of forty-eight (48) hours which points to an abuse of discretion?
4. Whether the HCDC err in the 3-2-16 order finding "that Kenneth Beynton should not receive credit for any time served at J. Reuben Long Detention Center" (JRLDC) if HCDC had jurisdiction to revoke the 9-16-15 suspended sentence?
5. When there was 3-2-16 order of HCDC when court resentenced Beynton, K. without jurisdiction, the 3-7-16 Motion to Alter and Amend was properly before civil court under Rule 59(e), did circuit court err issuing an oral ruling or judgment concerning suspended sentence without formal order or relevant sentence sheet?

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South Carolina Court of Appeals
ATTN: (V. CLAIRE ALLEN)
Deputy Clerk
P.O. Box 11629
Columbia, S.C. 29211

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