

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County

Honorable Eugene C. Griffith, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

V.

THOMAS DUKES,

APPELLANT

APPELLATE CASE NO 2016-002363

\_\_\_\_\_  
MOTION TO FILE EXTENSION  
OUT OF TIME  
\_\_\_\_\_

The undersigned counsel requests the Court allow counsel to file a thirty day extension of the initial brief of appellant and designation of matter in this case out of time. In support of this motion counsel submits the following.

1. The initial brief of appellant and designation of matter in the above-entitled case was due to be served and filed on April 3, 2017.
2. However, through a letter sent by the Court on May 24, 2017, we discovered that this case was inadvertently not calendared and therefore never extended. Therefore, counsel respectfully requests an extension of thirty days in which to file the initial brief of appellant and designation of matter in the case.

ORIGINAL

RECEIVED

MAY 25 2017

SC Court of Appeals

3. As indicated by his signature below, Benjamin Aplin, of the Attorney General's Office, does not oppose this request.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to allow counsel to file a thirty day extension of the initial brief of appellant and designation of matter in the above entitled case out of time.

Respectfully submitted,

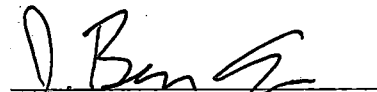


Taylor Gilliam  
Appellate Defender

ATTORNEY FOR PETITIONER

May 25, 2017

I do not oppose:

  
Benjamin Aplin, Esquire



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

Post Office Box 11589  
Columbia, South Carolina 29211-1589  
Telephone: (803) 734-1330  
Facsimile: (803) 734-1397

ORIGINAL

Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

RECEIVED

MAY 25 2017

SC Court of Appeals

May 25, 2017

The Honorable Jenny A. Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: The State v. Thomas Dukes  
Appellate Case No. 2016-002363

Dear Ms. Kitchings:

Enclosed is a motion to file an extension in the above case out of time. This initial brief of appellant and designation of matter in this case was due to be filed on April 3, 2017. Due to a clerical error, the case was never calendared and therefore not extended on that day. Counsel respectfully requests permission to file an extension out of time. No prior extensions have been requested in this case.

As a result of this error I am taking steps to better communicate with my assistant and double check database information to ensure such an error does not occur in the future.

By copy of this letter, I am informing J. Benjamin Aplin, Esquire, of the Office of the Attorney General, of this extension request.

Sincerely,

Taylor D Gilliam  
Appellate Defender

TDG/cs

cc: J. Benjamin Aplin

↓