

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APR 05 2019

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions
Alex Kinlaw, Jr., Circuit Court Judge

Appellate Case No. 2018-001257

The State,..... Respondent,

v.

Charles Dent, Appellant.

***Petition to Extend Time to File Initial Brief of Appellant and Designation of Matter to
be Included in Record on Appeal***

Charles Dent petitions this Court for an order extending the time to file Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal to Friday, May 3, 2019 to file his petition for writ of *certiorari* and appendix. Counsel has a state-wide trial, appellate, and post-conviction practice that required counsel to travel within and outside the state during December. Undersigned counsel has been working on this case but has not had time to draft the brief since receiving the corrected transcript. This request is based on undersigned counsel's workload and is not intended for delay. Since the beginning of 2019, counsel's other professional obligations have included:

- a) Counsel attended a court ordered mediation on January 14, 2019 in *Coats v. Pope, et. al.*, Case No. 1:17-cv-02930-TLW-SVH (a wrongful death case); counsel also attended depositions in this case on January 29, 30, and 31, 2019 and February 19, 2019;

- b) Counsel participated in a day long trial on January 16, 2019 in *Katie Harris v. State*, Spartanburg County Case No. 2017-CP-42-02140 (PCR in homicide by child abuse case);
- c) Counsel participated two day trial on January 22-23, 2019 in *State v. Jared Waning* (SC National Guard Court-Martial);
- d) Counsel participated in the evidentiary hearing on January 24, 2019 in *Curtis Elgin v. State*, Fairfield County Case No. 2012-CP-20-00232 (PCR in murder case);
- e) Counsel prepared for and participated in an oral argument in this Court on February 5, 2019 in *State v. Edward Dean*, Appellate Case No. 2016-001004;
- f) Counsel filed the Initial Brief of Appellant on February 8, 2019 in *Quincy Allen v. S.C. Department of Corrections*, Appellate Case No. 2018-002046; and
- g) Counsel prepared for a date certain jury trial scheduled to begin on March 4, 2019 in *State v. Joshua Eric Parham*, a Greenwood County first-degree criminal sexual conduct with a minor case. This case was continued after a full day of jury qualification and pre-trial motions.
- h) Counsel prepared for a date certain jury trial in *State v. Kevin Wiggins*, a Greenwood County drug trafficking trial, which involved a full day of jury selection and pre-trial motions on April 1, 2019 and resolved by guilty plea on April 2, 2019.
- i) Today, counsel filed a petition for writ of certiorari in the South Carolina Supreme Court in *Sammie Gerrick v. State*, a post-conviction relief case.
- j) Counsel plans to file reply briefs in the Court in *Quincy Allen v. SCDC* and *State v. Timothy Walker* on April 4, 2019.

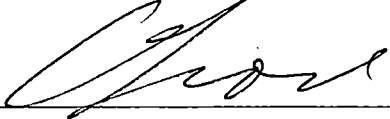
This extension is necessary for counsel to effectively brief the issues in this appeal.

The trial transcript in the case is 769 pages. *See Smith v. Robbins*, 528 U.S. 259 (2000), *Evitts v. Lucey*, 469 U.S. 387, 396 (1985); *see also Patrick v. State*, 349 S.C. 203, 562 S.E.2d 609 (2002), *Southerland v. State*, 337 S.C. 610, 524 S.E.2d 833 (1999). Counsel

plans to complete this pleading in the next two weeks. Counsel plans for this to be the last extension request for this pleading.

IT IS SO MOVED.

Respectfully Submitted,

By  _____

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Attorney for Charles Dent

April 3, 2019
Greenwood, South Carolina

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Certificate of Service

I certify that I have served this pleading on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed to:

J. Benjamin Aplin, Esquire
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211


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April 3, 2019.

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April 3, 2019

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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Re: *State of South Carolina v. Charles Dent*
Appellate Case No. 2018-001257

Dear Ms. Kitchings:

Enclosed please find the original and six copies of Mr. Dent's Petition to Extend Time to File Initial Brief of Appellant and Designation of Matter to be Included in Record on Appeal, along with a certificate of service.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: J. Benjamin Aplin, Esquire

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