

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of General Sessions
Roger M. Young, Circuit Court Judge

Appellate Case No. 2016-001264

RECEIVED
FEB 13 2017
SC Court of Appeals

The State,Respondent

v.

Larry Durant,Appellant.

**Petition for Extension of Time to File Appellant's Initial Brief and Designation of
Matter to Be Included in Record on Appeal**

The appellant, Larry Durant, respectfully petitions the Court for an extension of time of thirty days to file the initial brief and designation of matter to be included in the record on appeal until Friday, March 10, 2017. This petition is based on the following grounds:

1) On December 6, 2016, the undersigned filed a notice of appearance. At that time, the initial brief and designation were due within three days. That petition was the undersigned counsel's first request for an extension of time, and this petition is counsel's second request. Undersigned counsel filed his second extension request on January 9, 2017.

2) Attorney John Delgado previously entered a notice of appearance and requested an extension of time to file the initial brief and designation of matter to be

included in the record on appeal. Mr. Delgado subsequently moved to be relieved as counsel for Mr. Durant.

3) Although this Court entered undersigned counsel's notice of appearance on C-Track, this Court has not issued orders addressing Mr. Delgado's motion to be relieved or undersigned counsel's request for an extension.

4) Counsel has reviewed the record, identified issues for appeal, and is working on the brief. Counsel expects to complete the brief within the next couple of weeks.

5) This request is not intended for delay. It is necessary based on counsel's other professional obligations, the complexity of the case, and the seriousness of the charge for which Mr. Durant was convicted.

Mr. Durant, therefore, respectfully requests an extension of time to file his initial brief until Friday, March 10, 2017.

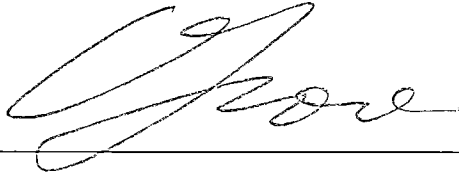
Counsel also requests this Court accept this petition on day late. Counsel was involved in depositions on February 8, 2017 and did not get this request finalized.

Prior to filing this motion, undersigned counsel consulted with Ben Aplin, who does not oppose these requests.

(signature on next page)

IT IS SO MOVED.

Respectfully Submitted,

By  _____

E. Charles Grose, Jr.
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(864) 538-4405 (fax)
Email: charles@groselawfirm.com

Attorney for the Defendant

February 9, 2016

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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:

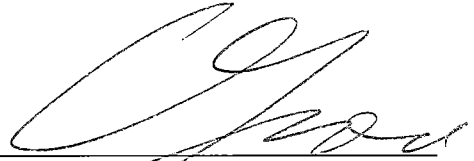
J. Benjamin Aplin, Esquire
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211

This pleading is also being served on

John Dennis Delgado
Bluestein Nichols Thompson & Delgado, LLC
1614 Taylor St.
Columbia, SC 29201

And

Robert Michael Dudek
S.C. Commission on Indigent Defense
PO Box 11589
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February 9, 2016

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February 9, 2016

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

RECEIVED
FEB 18 2016
SC Court of Appeals

Re: *State of South Carolina v. Larry Durant*
Appellate Case Number 2016-001264

Dear Ms. Kitchens:

Enclosed please find the original and six copies of the petition to extend time to file the appellant's initial brief and designation of matter to be included in the record on appeal.

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: Mr. Larry Durant
John D. Delgado, Esquire
J. Benjamin Aplin, Esquire
Robert M. Dudek, Esquire

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