

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Oct 16 2020

SC Court of Appeals

Appeal from Richland County
Honorable L. Casey Manning, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KENNETH RAY GLEATON,

APPELLANT

APPELLATE CASE NO. 2019-002072

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

Counsel for Kenneth Ray Gleaton respectfully requests a **fourth and final thirty (30) day extension, until November 16, 2020**, in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Kenneth Ray Gleaton 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.


3. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. Marissa Cohen with this Court on October 6, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donte Stokes v. The State of South Carolina with the Supreme Court on October 6, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ibn Gadson v. The State of South Carolina with the Supreme Court on September 24, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Steadman v. The State of South Carolina with the Supreme Court on September 18, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State of South Carolina v. Herbie V. Singleton, Jr. with the Supreme Court on September 18, 2020. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of Steven Barnes v. The State of South Carolina with the Supreme Court on September 14, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. John Ira Duncan III with this Court on September 10, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shiquan Tyon Cwiklinski v. The State of South Carolina with the Supreme Court on August 25, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. Kenneth Wayne Carlisle with this Court on August 25, 2020. Counsel filed the Initial brief of appellant and designation of matter in the case of The State of South Carolina v. William Shane Fordham Brown with this Court on August 21, 2020. Counsel filed the petition for rehearing in the case of The State of South Carolina v. Michael N. Frasier, Jr. with this Court on August 13, 2020.

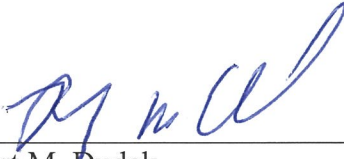
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2020. That emailed general consent was dated September 28, 2020.

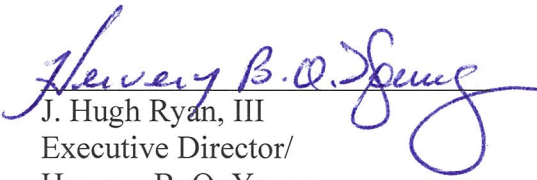
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension, until November 16, 2020**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

This 16th day of October, 2020.


J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

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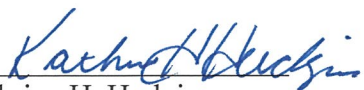
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KENNETH RAY GLEATON,

APPELLANT

CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension of Time in which to File the Initial Brief of Appellant and Designation of Matter in the above-referenced case have been served upon Melody J. Brown, Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 16th day of October, 2020.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT