



RECEIVED

Dec 05 2022

SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

December 5, 2022

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

Re: The State v. Lamont Antonio Samuel
Appellate Case No: 2020-001612

Dear Ms. Kitchings:

On October 27, 2021, appellate counsel filed an *Anders* Brief and a record on appeal. On November 1, 2022, Respondent received notification from this Court that the above referenced matter would be submitted on the record. Respondent is now in receipt of a motion for stay and motion for extension of time from Appellant which appears to have been mailed on or about November 21, 2022. Appellant claims a delay is necessary for him to gather materials and file a *pro se* response in the *Anders* review process. Please accept this letter *in lieu* of a formal response.

Because this is an *Anders* review process, Respondent takes no position on whether the Court should withdraw submission and allow additional time to respond. Respondent leaves that to the discretion of the Court. However, Respondent notes that while Appellant faults appellate counsel for not advising of his right to submit a *pro se* response, this Court sent out a formal letter to Appellant dated October 28, 2021 that informed Appellant of that opportunity. Respondent further points out that though Appellant appears to challenge the completeness of the record, appellate counsel provided a record with the transcripts from Nov. 30, 2020 and Dec. 1-3, 2020, along with several exhibits, the indictment and sentencing sheet. To the extent that Appellant asserts within the motion to stay that this Court should “compel” his former counsel to provide “letters” that Appellant presumably wishes to submit, Respondent does not consent to submission of any such letters and does not waive any objection to materials that would not be properly before the Court in the appeal by way of this informal response. Simply, Appellant’s request is for additional time to respond. In regard to that request, Respondent takes no position.

Sincerely,

s/Melody J. Brown

Melody J. Brown
Senior Assistant Deputy Attorney General
S.C. Bar No: 14244

MJB/abb

cc: David Alexander, Esquire (via e-mail only)