



RECEIVED

Aug 24 2023

SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

August 24, 2023

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: State v. Aaron McKenzie Capers – Appellate Case No. 2019-000511

Dear Ms. Kitchings:

On today's date, the State discovered via the South Carolina Appellate Court Public Index a motion entitled "Petition to Submit Amended Initial and Final Briefs of Appellant Reflecting Correction to Trial Transcript Provided by the Court Reporter" was filed with this Court in the above-referenced criminal appeal on Monday, August 21, 2023. The accompanying proof of service indicates that motion was served on the State through an email sent to the undersigned counsel's email address, mfarthing@scag.gov. However, the undersigned counsel did not receive and cannot locate any email from Appellant on that date, and a copy of the service email does not appear to have been included with Appellant's proof of service.

Because the State did not receive Appellant's motion until it obtained it through the Public Index on today's date, the State respectfully requests the ten-day time period for filing a return to Appellant's motion be calculated from today, August 24, 2023. Based on the State's calculations, the State's return would be due on Tuesday, September 5, 2023, if the State's request is granted. Thank you for your consideration of this request, and please let me know if you have any questions or need any additional information.

Sincerely,

Mark R. Farthing
Senior Assistant Attorney General
S.C. Bar Number 76901

MRF/

cc: Tara D. Shurling, Esquire (via email service)
Victim Advocacy Division

Caroline Collins

From: Caroline Collins
Sent: Thursday, August 24, 2023 12:48 PM
To: tdshurling@aol.com; tdsaw@shurlinglaw.com
Cc: Mark Farthing
Subject: The State v. Aaron McKenzie Capers (2019-000511)
Attachments: Capers.Letter Concerning Motion Filed by Appellant (03371214xD2C78).PDF

Good Afternoon Ms. Shurling,

Attached please find a letter concerning the Motion filed August 21, 2023. This letter will be submitted to the South Carolina Court of Appeals via the AIS OneDrive System.

If you will, please confirm receipt of this email.

Thank you!

CAROLINE COLLINS, Administrative Coordinator
South Carolina Attorney General's Office
Criminal Appeals | Office 803-734-3723 | ccollins@scag.gov
P.O. Box 11549 | Columbia, SC 29211
scag.gov



This email, together with any attachments, may be legally privileged. If you have received it in error, please notify the sender immediately, and then delete it from your system. This email and any replies to this email may be subject to disclosure under the Freedom of Information Act.