



ALAN WILSON
ATTORNEY GENERAL

September 4, 2013

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

Re: The State v. Kelvin Bowen
Appeal from Williamsburg County
Appellate Case No.: 2011-185566

Dear Ms. Kitchings:

The Final Brief of Respondent in the above-entitled action was due to be filed and served yesterday, September 3, 2013. While it is my understanding the Court has received a proof of service from Appellate Defense explaining that this office has been served with the Record on Appeal in this matter, a review of our mail logs as well as our files fails to show a physical copy of the Record on Appeal was received. To date we still have no physical copy of the Record on Appeal but anticipate that Appellate Defense will provide us with one shortly. Therefore, because we do not have a physical copy of the Record on Appeal the final brief was never calendared and cannot be completed. Accordingly, we respectfully request an extension of thirty (30) days within which to file the Final Brief.

By copy of this letter I am informing opposing counsel of this request. Thank you for your consideration.

Sincerely,

Brendan J. McDonald
Assistant Attorney General

BJM/mv
cc: Susan B. Hackett, Appellate Defender

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SC Court of Appeals