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September 6, 2013

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S.C. Supreme Court

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: State v. Alirio Ortiz - Appellate Case No. 2012-211933

Dear Mr. Shearouse:

The return to the State's motion to dismiss in the above captioned case, filed on August 27, 2013, is due to be served and filed today. I respectfully request a one time extension of ten days to file the return to the motion to dismiss. I am currently preparing an intital brief to be filed on Monday, September 9, 2013, as well as preparing for oral arguments in the Court of Appeals on September 10, and 11, 2013.

In a letter to this Court dated September 3, 2013, Chief Appellate Defender Robert M. Dudek notified the Court of our intention to file a return in opposition to the State's motions to dismiss for three similarly situated Protection of Persons and Property Act appeals including State v. Alirio Ortiz. I respectfully submit that I need additional time to further research the issue before filing the return.

I have discussed this matter with Assistant Attorney General Julie Kate Keeney and she does not oppose this extension request. I appreciate your consideration of this matter.

Sincerely,

Kathrine H. Hudgins  
Appellate Defender

KHH:dlw

cc: Assistant Attorney General Julie Kate Keeney