

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Honorable Kristi L. Harrington, Circuit Court Judge

Appellate Case No. 2013-000692

**RECEIVED**  
JAN 22 2014  
S.C. Supreme Court

Larry G. Harvin,.....Petitioner,

v.

State of South Carolina, .....Respondent.

**PETITION TO RELAX RULE 243(F)  
AND REQUEST FOR EXTENSION**

COMES NOW, Respondent, above named, by and through the undersigned counsel, making its Petition to Relax Rule 243(f) and Request for Extension, and would show unto this Court:

I.

By letter dated August 21, 2013, this Court advised the Petitioner that he had thirty (30) days to serve and file the appellant’s initial brief and designation of matter. Upon information and belief, the Respondent was never served with a copy of the Petitioner’s brief and designation of matter as required by SCACR 208(a)(1). Because the Respondent never received a copy of the Petitioner’s initial brief, the Respondent’s initial brief in this matter was never calendared for submission to this Court.

By letter dated January 17, 2014, this Court informed the Respondent that it had not received the Respondent's initial brief and that if one was not filed, the matter would proceed without the Respondent's brief. The Respondent submits due to the Petitioner's failure to serve the Respondent with a copy of the Petitioner's initial brief and designation of the matter, the Respondent respectfully requests a thirty (30) days extension from the time the Respondent is provided a copy of the Petitioner's initial brief by the Court to file the Respondent's initial brief. The Respondent will notify the Court when a copy of the Petitioner's initial brief is received.

II.

In view of the foregoing, it is respectfully requested that this Court relax Rule 243(f), SCACR, and allow a thirty (30) day extension to file and serve the Respondent's initial brief in this matter.

III.

WHEREFORE, it is respectfully requested that this petition be granted.

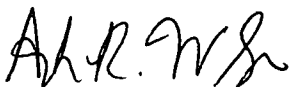
Respectfully submitted,

ALAN WILSON  
Attorney General

ASHLEIGH R. WILSON  
Assistant Attorney General  
S.C. Bar # 100269

P.O. Box 11549  
Columbia, S.C. 29211  
(803) 734-3737

By:



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**Attorneys for the Respondent**  
Columbia, South Carolina  
January 22, 2014

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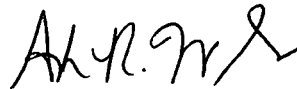
Larry G. Harvin,.....Petitioner,

v.

State of South Carolina, .....Respondent.

**PROOF OF SERVICE**

I, Ashleigh R. Wilson, Counsel for the Respondent, certify that I have today served the within Petition upon the Petitioner by depositing a copy of it in the United States Mail, postage prepaid, addressed to South Carolina Department of Corrections for service on the Petitioner. I further certify that all parties required by Rule 240(c)(1) to be served have been served this 21st day of January, 2014.



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Attorney for the Respondent

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