

February 24, 2013

The Honorable Jenny Abbott Kitchings
Clerk of Court
P.O. Box 11629
Columbia, SC 29211

RE: The State v. Fritz A. Timmons Appellate Case No. 2013-001415

Dear Jenny Abbott Kitchings

Enclosed is the original and six copies of the **Return to the Motion to Relax Rules 208, 209, 210, 211, and for an Extension of Time in Which to File Respondent's Initial Brief, Designation of Matter, Supplemental Record on appeal and Final Brief of Respondent** along with proof of service in the above referenced case

Sincerely,
Fritz A. Timmons, Pro Se
P. O. Box 367
Hartsville, SC 29551

Cc Foard, Adam M.
Salley W. Elliott

RECEIVED

FEB 26 2014

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

J. Michael Baxley, Circuit Court Judge

Case No.2013-001415

RECEIVED

FEB 26 2014

SC Court of Appeals

The State

Respondent,

v.

Fritz Allen Timmons

Appellant.

APPELLANT'S RETURN FOR THE RESPONDENT'S MOTION TO RELAX RULES
208,209,210,211, AND FOR AN EXTENSION OF TIME IN WHICH TO FILE
RESPONDENT'S INITIAL BRIEF OF RESPONDENT, DESIGNATION OF MATTER.
SUPPLEMENTAL RECORD ON APPEAL AND FINAL BRIEF OF RESPONDENT

1. With the attorney generals office removing themselves as counsel and not rejoining as a party to the case, therefore, as a third party, the attorney generals office does not have the authority to file the motion to relax..

2. With the counsels of the state being bound by Rule 407, SCACR and due to the State having Adam M. Foard as attorney of record under Rule 264, SCACR and served all documents in a timely manor, therefore all requirements has been met and does not provide cause for this motion to relax

3. The motion to relax lacks facts and authority to support it
4. Failure of communication amongst counsels of the state does not provide cause for the motion to relax
5. Failure to observe difference between case numbers (incompetence) by the general attorneys office does not provide cause for the motion to relax
6. The clerical error of the order of the parties on the title of the case (Rule 264, SCACR) cause by the lower court being an appeal brought by the appellant from a magistrate criminal court brought by the state (deficiency 1, example is the title of the respondent's motion itself). Along with the court changing the appeal from a criminal appeal to a civil appeal thereby causing a filing fee (deficiency 2), both corrected in a timely manor and neither caused a change in the timing nor justice of the case. Therefore minor infractions by a "Pro Se" does not provide cause for the major disregard for the court rules by the counsels of the state (a team of highly trained lawyers, assistances and others that is well versed in the court process, procedures, and **RULES** with full access to state resources) and does not provide cause to the motion to relax nor to subvert court procedures and process.
7. With the attorney general's office in contact with the solicitors office (10/28/2013) and served a clarification letter (12/24/2013), therefore the state had ample time to file any motions **PRIOR** to the **FINAL** Brief of Appellant and Record of Appeal. Therefore the motion to relax should be denied.

February 24, 2014

Fritz A. Timmons, Pro Se
P. O. Box 367
Hartsville, SC 29551

Adam M. Foard Law, LLC.
Foard, Adam M.
120 N. Pearl St.
Pageland SC 29728
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

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J. Michael Baxley, Circuit Court Judge

SC Court of Appeals

Case No.2013-001415

The State

Respondent,

v.

Fritz Allen Timmons

Appellant.

PROOF OF SERVICE

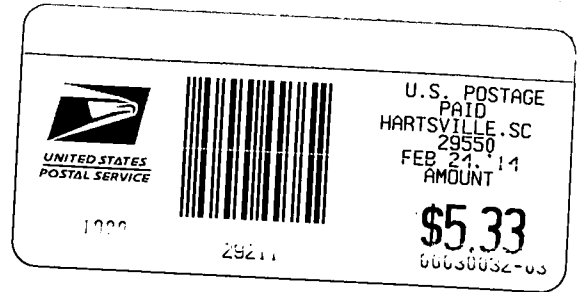
I certify that I have served the Return to Motion on the State by depositing a copy of it in the United States Mail, postage prepaid, on February 24, 2014, addressed to its attorney of record, Adam M. Foard, 120 N. Pearl St., Pageland SC 29728 and also upon Salley W. Elliott, Senior Assistant Deputy Attorney General, P. O. Box 11549, Columbia, SC 29211.

February 24, 2014



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Hartsville, SC 29551

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SC Court of Appeals

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Jenny Abbott Kitchings
Clerk of Court
P.O. Box 11629
Columbia, SC 29211

