



ALAN WILSON
ATTORNEY GENERAL

March 26, 2014

Michael P. Scott, Esq.
Nexsen Pruet
Post Office Box 486
Charleston, SC 29402

**RE: State of South Carolina v. Alphonso Thompson
Appellate Case Tracking No. 2012-213141**

Dear Mr. Scott:

Enclosed please find a copy of the State's Motion for Third Extension in the above-referenced case pursuant to your request. It appears that we had an incorrect address for you in our database and served the Motion at an address in Columbia which is actually a rental property you own. I apologize for the error and have updated our database to reflect the correct address above. Robert Dudek, Esquire, was also served with the motion. I am including with this correspondence a copy of the original motion, the Court of Appeals' Order filed March 24, and an affidavit of service to accompany this communication reflecting today's date.

Your office informs me that you do not consider this motion to have been properly served and requested that I copy all parties in this matter.

Sincerely,

Mary S. Williams
Assistant Attorney General

MSW/erd

CC: The Honorable Jenny A. Kitchings
Robert Dudek, Esquire

RECEIVED

MAR 26 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

MAR 26 2014

Appeal from Colleton County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case Tracking No. 2012-213141

SC Court of Appeals

The State,

Respondent,

vs.

Alphonso Thompson,

Appellant.

**MOTION FOR THIRD EXTENSION WITHIN WHICH
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent is due to be served and filed today.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a third extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time.

III.

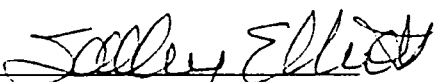
This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a third extension of time within which to serve and file the Initial Brief of Respondent.


WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

MARY S. WILLIAMS
Assistant Attorney General


SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General


MARY S. WILLIAMS
Assistant Attorney General
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

March 20, 2014

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Colleton County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case Tracking No. 2012-213141

The State,

Respondent,

vs.

Alphonso Thompson,

Appellant.

PROOF OF SERVICE


I, Ellen DuBois, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief of Respondent on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Michael Patrick Scott, Esquire
3730 Ardincaple Dr.
Columbia, SC 29202

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.

This 20th day of March, 2014.



ELLEN DUBOIS
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

The South Carolina Court of Appeals

The State, Respondent,

v.

Alphonso Chaves Thompson, Appellant.

Appellate Case No. 2012-213141

ORDER

For good cause shown, the request for an extension to serve and file the initial brief of respondent and designation of matter is granted and extended until April 21, 2014. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

FOR THE COURT

 C.J.

Columbia, South Carolina
cc:
Robert Michael Dudek, Esquire
Michael Patrick Scott, Esquire
Mary Shannon Williams, Esquire

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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

MAR 26 2014

Appeal from Colleton County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case Tracking No. 2012-213141

SC Court of Appeals

The State,

Respondent,

vs.

Alphonso Thompson,

Appellant.

PROOF OF SERVICE

I, Ellen DuBois, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief of Respondent and accompanying letter on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Michael Patrick Scott, Esquire
Nexsen Pruet
Post Office Box 486
Charleston, SC 29402

I further certify that all parties required by Rule to be served have been served.

This 26th day of March, 2014.

Ellen R. DuBois

ELLEN DUBOIS

Office of Attorney General

Post Office Box 11549

Columbia, South Carolina 29211

(803) 734-3727