

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2013-002379

Ronald Coulter, #300410,

Appellant,

v.

State of South Carolina,

Respondent.

RETURN TO MOTION TO HOLD THE TIME
PERIOD FOR FILING INITIAL BRIEF OF
RESPONDENT AND DESIGNATION OF
MATTER IN ABEYANCE

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SC Court of Appeals

The Appellant would respectfully show unto the Court that the Respondent's motion to hold this appeal in abeyance should be denied.

The Respondent has repeatedly defied the procedural deadline for filing the Initial Brief of Respondent. In most practical situations, extensions for additional filing time are made prior to the due date for filing a specific brief. In the event that the requested extension be denied, counsel would still have a

chance, by superhuman effort if necessary, to prepare and file the brief on time. The Respondent has failed to file a timely brief on three (3) occasions. This Court has been generous enough to extend the filing period on two (2) separate occasions, albeit after the due date for filing had expired.

On May 22, 2014, this Court issued an Order prohibiting any further extensions beyond June 18, 2014, absent any extraordinary circumstances.

On June 18, 2014, the Respondent had the audacity to request that the filing period be held in abeyance on the grounds that: 1) counsel "inadvertently" forgot to request a copy of the lower court transcript; and, 2) based on the fact that a transcript request was made on June 18, 2014, counsel has not yet received a copy of the transcript at this present time.

The Appellant cannot recall any authoritative interpretation of what is meant by an "extraordinary circumstance" as deemed by the Court in its Order filed on May 22, 2014. But conceptually, the phrase encompasses only the most unforeseeable and compelling reasons, such as illness, death, or unavoidable emergency, that suddenly arose prior to the Court's specified June 18th deadline. It is certainly not the equivalent of a "good cause" that may justify an extension under normal circumstances.

For these reasons, this Court should not accept the Respondent's forgetfulness as an extraordinary circumstance justifying holding this appeal in abeyance.

The Appellant asks this Court to issue any sanction against the Respondent deemed appropriate including, but not limited to, the abandonment of any asserted defenses, being barred from asking this Court to affirm the lower court's decision for any ground appearing on the record, being bound by the matters stated or alleged in the Appellant's statement of the case, or any other sanctions deemed just and proper.

Respectfully submitted,

Ronald Coulter

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Columbia, SC 29210

Appellant, Pro Se

June 22, 2014

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2013-002379

Ronald Coulter, #300410,

Appellant,

v.

State of South Carolina,

Respondent.

PROOF OF SERVICE

I certify that I have served the Return to Motion to Hold the Time Period for Filing Initial Brief of Respondent and Designation of Matter in Abeyance on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on June 23, 2014, addressed to the attorney on record, Ashleigh R. Wilson, Post Office Box 11549, Columbia, SC 29211.

June 23, 2014

Ronald Coulter

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Appellant, Pro Se

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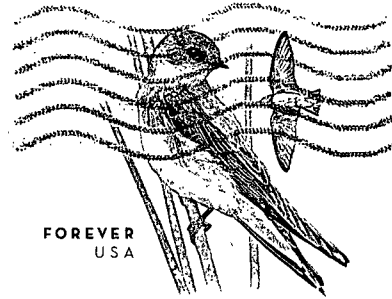
JUN 24 2014

SC Court of Appeals

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JUN 24 2014

SC Court of Appeals

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