

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**RECEIVED**

JUN 18 2014

Appeal from Charleston County  
Honorable R. Markley Dennis, Jr., Circuit Court Judge

**SC Court of Appeals**

Appellate Case No. 2013-002379

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RONALD COULTER,

Appellant,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

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

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Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

On March 20, 2014, Appellant Ronald Coulter served and filed the Initial Brief of Appellant and Designation of Matter in the above-referenced habeas appeal. Accordingly, the Initial Brief of Respondent and Designation of Matter are due to be served and filed today, June 18, 2014.

## **II.**

Inadvertently, when the Appellant's Initial Brief was received our office did not request a copy of the transcript of the lower court motion hearing at which no attorney for the State was present. Upon information and belief, a hearing was held at which the Appellant was present on August 9, 2013 before the Honorable R. Markley Dennis, Jr. A copy of the letter requesting a transcript is attached for the Court's review. At this time, the Respondent has not received a copy of the proceeding transcript.

## **III.**

Because Respondent has not yet obtained a copy of the hearing transcript, Respondent is unable to complete Initial Brief of Respondent and Designation of Matter by the June 18, 2014, filing deadline. Respondent asks this Court to hold the matter in abeyance pending Respondent's receipt of the requested transcript and to allow Respondent thirty days to prepare the Initial Brief of Respondent and Designation of Matter after the requested transcript is received. Respondent will promptly notify this Court when the requested transcript is received.

**WHEREFORE**, Respondent prays that the Court will hold the time period for the filing and service of the Initial Brief of Respondent and Designation of Matter in abeyance pending Respondent's receipt of the requested trial transcript; grant Respondent thirty days to prepare, file, and serve the Initial Brief of Respondent and Designation of Matter from the date Respondent receives the requested transcript; and for such other and further relief as the Court may deem just and proper.

[Signatures on the following page.]


Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

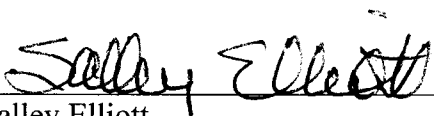
KAREN C. RATIGAN  
Senior Assistant Deputy Attorney General

ASHLEIGH R. WILSON  
Assistant Attorney General

By:   
Ashleigh R. Wilson

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737

June 18, 2014

  
Salley Elliott  
Senior Assistant Deputy Attorney General



ALAN WILSON  
ATTORNEY GENERAL

June 18, 2014

Deborah Garrison  
PO Box 901  
Johns Island, SC 29457

**Re: Ronald Coulter v. State of South Carolina**  
**2013-CP-10-2113**

Dear Ms. Garrison:

Please prepare a Motion Hearing transcript for the above named individual taken the week of August 9, 2013 before the Honorable R. Markley Dennis, Jr., for the term of the Court of Common Pleas in Charleston County. If you have already typed it once for Appellate Defense, please let me know before you send me a copy.

Please note that the amended Rule 243(f) (3), SCACR, now requires as detailed an index for PCR hearings as for trial transcripts filed in the Supreme Court. The index should include all exhibits. If exhibits were not introduced, then please note that no exhibits were submitted at the hearing.

**If the cost of this transcript will exceed \$500, please inform me in writing before you complete the transcript.** If you will prepare this transcript and forward it to me along with your statement, I will arrange for payment. Please note that all statements are to be signed.

Sincerely,

Ashleigh R. Wilson  
Assistant Attorney General

arh/ARW

cc: Desiree R. Allen, Court Administration

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
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RONALD COULTER )  
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Applicant, )  
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vs )  
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STATE OF SOUTH CAROLINA, )  
 )  
Respondent. )  
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IN THE SOUTH CAROLINA COURT OF APPEALS

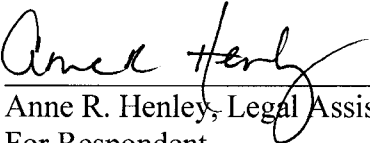
Appellate Case No. 2013-002379

AFFIDAVIT OF SERVICE BY MAIL

1. I am an employee of the Respondent in the above-captioned action.
2. Regular communication by mail exists throughout the State of South Carolina and that this is a proper circumstance of service by mail.
3. I have this day served a copy of the Motion to Hold Time Period for Filing Initial Brief of Respondent and Designation of Matter in Abeyance in the above-captioned matter on the following person by depositing same in the United States mail, postage prepaid:

Ronald Coulter, #300410  
Broad River Correctional Institution  
4460 Broad River Rd  
Columbia, SC 29210

DATED this 18th day of June, 2014

  
\_\_\_\_\_  
Anne R. Henley, Legal Assistant  
For Respondent

**RECEIVED**  
JUN 18 2014  
**SC Court of Appeals**