



ALAN WILSON  
ATTORNEY GENERAL

August 4, 2014

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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

Dear Ms. Kitchings:

Please accept this letter as the State's response to Appellant's most recent filing which indicated that the State failed to meet its deadline for filing its Final Brief of Respondent in the appeal listed above. Respondent acknowledges that this Court's order dated April 18, 2014 allowed Respondent to file its Initial Brief of Respondent, Designation of Matter and Supplemental Record on Appeal within 30 days of the order and to submit its Final Brief of Respondent within 60 days of the order. The Initial Brief of Respondent, Designation of Matter and Supplemental Record on Appeal were filed within the time frame allotted by this Court. However, the Final Brief of Respondent has not yet been filed because Respondent moved on May 20, 2014 to strike, *inter alia*, Appellant's Designation of Matter and Record on Appeal and to require Appellant to file amended versions of those documents. This Court granted the motion as it relates to the Record on Appeal submitted by Appellant by Order dated July 7, 2014, requiring Appellant to file an Amended Record on Appeal. Thereafter, Appellant moved to strike Respondent's Supplemental Record on Appeal. Respondent has not yet filed and served its Final Brief of Respondent because issues relating to the final version of the Record on Appeal are still pending. Respondent has not yet received Appellant's Amended Record on Appeal and this Court has not ruled on Appellant's motion to strike Respondent's Supplemental Record on Appeal. Until finality of the Record on Appeal is resolved, the Final Brief of Respondent must be held in abeyance so that the record citations are correct and the need to file an Amended Final Brief of Respondent is avoided.

Sincerely,

Salley W. Elliott  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 1871

**RECEIVED**

SWE/ab

cc: Fritz A. Timmons, pro se  
Victim Services

AUG 05 2014

**SC Court of Appeals**