

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

CERTIORARI TO LEXINGTON COUNTY  
Court of Common Pleas

The Honorable Alexander S. Macaulay, Circuit Court Judge

Appellate Case No. 2014-001407

**RECEIVED**  
OCT 29 2014  
S.C. Supreme Court

Christopher W. Ashe,..... Petitioner,

v.

State of South Carolina,..... Respondent.

MOTION TO RELAX RULE 243(g), SCACR, AND ALLOW RESPONDENT TO FILE  
RETURN TO PETITION FOR WRIT OF CERTIORARI OUT OF TIME

COMES NOW the Respondent above named, by and through the undersigned counsel, making its motion to Relax Rule 243(g), SCACR, and allow Respondent to file the Return to Petition for Writ of Certiorari out of time, would show unto this Court:

I.

The Return to the Petition for Writ of Certiorari was due to be filed thirty days following receipt of the Petition for Writ of Certiorari and Appendix on September 16, 2014. Inadvertently, the due date for this matter was improperly calendared for forty-five days.

II.

In view of the foregoing, it is respectfully requested that this Court relax Rule 243(g), SCACR, and grant Respondent a Single and Final thirty day extension to file its Return Petition. Due to the quality of the Petitioner's brief, I will need additional time to further research and analysis the issues involved in this appeal. Petitioner was contacted and consents to Respondent's motion and request for a single and final thirty day extension.

WHEREFORE, it is respectfully requested that this Motion be granted.

Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

KAREN C. RATIGAN  
Assistant Deputy Attorney General

WALT WHITMIRE  
Assistant Attorney General

By:   
ATTORNEYS FOR THE RESPONDENT

P.O. Box 11549  
Columbia, S.C. 29211  
(803) 734-3737

Oct 29<sup>th</sup>, 2014.



ALAN WILSON  
ATTORNEY GENERAL

October 29, 2014

The Honorable Daniel E. Shearouse  
Clerk of Court, South Carolina Supreme Court  
Post Office Box 11330  
Columbia SC 29211

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OCT 29 2014  
S.C. Supreme Court

**Re: Christopher W. Ashe v. State of South Carolina**  
**Appellate Case No. 2014-001407**

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion to Relax Rule 243 (g), SCACR, and allow Respondent to file the Return to Petition for Writ of Certiorari out of time for filing in your office. This is the State's final extension request; this request is not intended for the purpose of delay, but is necessitated by my heavy workload.

Sincerely,

J. Walt Whitmire  
Assistant Attorney General

JWW/lg

cc: C. Rauch Wise, Esquire