



ALAN WILSON
ATTORNEY GENERAL

October 31, 2014

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

Re: The State v. Don Survi-Chisolm
Appeal from Dorchester County
Appellate Case No. 2011-200186

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OCT 31 2014

SC Court of Appeals

Dear Ms. Kitchings:

The Initial Brief of Respondent in the above-entitled action is due to be filed and served today, October 31, 2014 due to the recent receipt of the transcript from the August, 22, 2011 mistrial. On March 3, 2014, Respondent requested the time limits to be held in abeyance pending the receipt of the August transcript, which this Court granted. Counsel also initially requested a ten day time limit in order to complete the initial brief of respondent after receipt of the transcript. However, at this time, undersigned counsel is currently preparing for a capital evidentiary hearing scheduled to begin on November 17, 2014, with scheduled witness interviews and a deposition in addition to maintaining her current caseload of habeas matters, direct appeal actions and other capital cases currently in litigation. Counsel has not been able to adequately review the 189 page transcript from the August mistrial and otherwise complete the initial brief within the previously requested ten day period. For this reason, I respectfully request an extension of fourteen (14) days within which to file the Initial Brief. This is the first extension request after receipt of the transcript.

By copy of this letter I am informing opposing counsel of this request. Thank you for your consideration.

Sincerely,

Melody J. Brown
Senior Assistant Attorney General

MJB/mv

cc: Robert M. Dudek, Chief Appellate Defender
Lara M. Caudy, Appellate Defender