



ALAN WILSON
ATTORNEY GENERAL

November 6, 2013

Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RECEIVED
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SC Court of Appeals

Re: State v. Calvin J. Pompey
State Appeal – Marion County
Appellate Case No. 2013-001769

Dear Ms. Kitchings:

This is to request a first extension to file an Initial Brief of Appellant in this State appeal arising from the Order of the Honorable Craig Brown on August 13, 2013, which is due this date. This involves a pre-trial decision which granted immunity to Mr. Pompey pursuant to S.C. Code Ann. § 16-11-440 by oral order. The Order is included in the hearing transcript at pages 85-96. This concerns Indictment 2012-GS-33-00301 for murder.

Solicitor Clements ordered the motion hearing transcript from the Honorable Francis Bakis-Ray. The Solicitor's Office received the hearing transcript on October 7, 2013 and subsequently provided it to this office.

I have assigned the case to Assistant Attorney General Alphonso Simon for briefing the State's position and we are requesting this extension to complete the Initial Brief of Appellant.

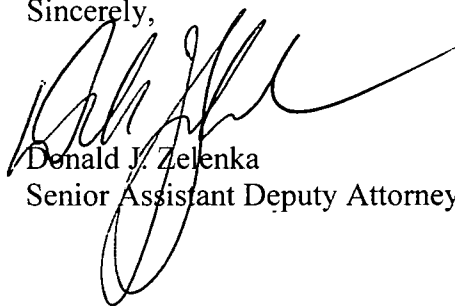
By copy of this letter, I am informing appellate counsel Robert M. Dudek and trial

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counsel Scott P. Floyd of our request to extend the period of time up to and including December 6, 2013. If further information is necessary please advise me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald J. Zelenka', written over the typed name and title.

Donald J. Zelenka
Senior Assistant Deputy Attorney General

DJZ/lbb

cc: Robert M. Dudek, Esquire
Scott P. Floyd, Esquire
Honorable Edgar L. Clements, III, Solicitor
Alphonso Simon, AAG