

STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

JAN 06 2015

The Honorable J. Durham Cole, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2014-001092

STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

NORMAN QUINTON HUNT,

APPELLANT.

PETITION TO RELAX RULES 208(a)(2) & 209, SCACR,
AND REQUEST FOR EXTENSION

COMES NOW, Respondent, above named, by and through the undersigned counsel, making its Petition to Relax Rules 208(a)(2) and 209, SCACR, and Request for Extension, and would show unto this Court:

I.

On January 5, 2015, the undersigned received correspondence from counsel for Appellant advising of a change of address and enclosing a copy of the Initial Brief of Appellant and Designation of Matter. A review of the Certificate of Service for the Initial Brief of Appellant and Designation of Matter indicates opposing counsel served the original prosecutor with his brief and designation of matter and not the Office of the undersigned. The original prosecutor did

not advise the undersigned of receipt of the Appellant's brief and designation of matter. Undersigned counsel's review of the documents filed with this court on C-Track reflects that counsel for Appellant also requested and obtained the transcript but did not provide notice to the undersigned or the original prosecutor as set forth in Rule 207(a)(1), SCACR. The undersigned then, was unaware of the need to order a copy of the transcript to prepare its responsive brief and was unaware the Appellant's initial brief and designation of matter had been filed and served to make the proper notation for the filing and serving it's the Initial Brief of Respondent and Designation of Matter. If this Court deems the service and filing of the Initial Brief of Appellant and Designation of Matter as sufficient service upon the undersigned, the Respondent moves this Court to relax the time for serving and filing its initial brief and designation of matter and grant an extension of thirty (30) days from the date of this Court's ruling on the petition to enable the State to request and receive the transcript and prepare, file, and serve the Initial Brief of Respondent and Designation of Matter. If this Court does not deem the service upon the original prosecutor to be sufficient, Respondent asks this Court to set Respondent's due date for the Initial Brief of Respondent and Designation of Matter for 30 days from January 5, 2015.

II.

In view of the foregoing, it is respectfully requested that this Court relax Rules 208(a)(2) & 209, SCACR, and allow Respondent a thirty (30) day extension from the date of this Court's ruling on the petition to file and serve its Initial Brief of Respondent and Designation of Matter or, alternatively, to set its deadline for filing and serving its documents thirty (30) days from January 5, 2015.

III.

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

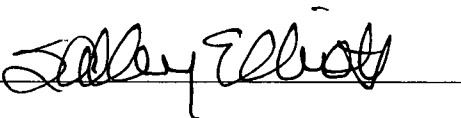
Respectfully submitted,

ALAN WILSON
Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

W. WALTER WILKINS
Solicitor, Thirteenth Judicial Circuit

By:

A handwritten signature in black ink, appearing to read "Salley Elliott", is written over a horizontal line.

ATTORNEYS FOR RESPONDENT
S.C. Bar No. 1871

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Telephone: (803) 734-3737

January 6, 2015

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PROOF OF SERVICE

I, Angela Bennett, certify that I have served the Petition to Relax Rule 208(a)(2) and 209, SCACR, and Request for Extension on appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his Thomas J. Quinn, Esquire, 201 West Stone Avenue, Greenville, South Carolina 29609.

I further certify that all parties required by Rule to be served have been served.

This 6th day of January, 2015.



ANGELA BENNETT
Administrative Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



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JAN 06 2015

SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

January 6, 2015

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

Re: The State v. Norman Quinton Hunt
Appellate Case No: 2014-001092

Dear Mr. Kitchings:

Enclosed please find the original and six copies of the Petition to Relax Rule 208(a)(2) and 209, SCACR, and Request for Extension along with proof of service in the above-referenced case.

Sincerely,

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

SWE/ab
Enclosures

cc: Thomas J. Quinn, Esquire
Ms. Trisha Allen