



ALAN WILSON
ATTORNEY GENERAL

July 24, 2012

VIA HAND-DELIVERY

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

SC Court of Appeals

JUL 24 2012

RECEIVED

RE: State v. Joe Ross Worley – Appellate Case No. 2012-210646

Dear Ms. Kitchings:

On July 19, 2012, the State (“Respondent”) requested a second extension to file the Initial Brief of Respondent and Designation of Matter. Thereafter, on July 23, 2012, Appellant Joe Ross Worley sent a letter to this Court objecting to Respondent’s second extension request. This letter is in reply to Appellant’s letter objection.

In the above-referenced criminal appeal, Appellant has raised four issues related to the trial judge’s denial of Appellant’s Motion to Bar Prosecution pursuant to the “Protection of Persons and Property Act” and the trial judge’s denial of Appellant’s request for pre-trial bond. In light of the substantial issues raised by Appellant, Respondent believes Appellant’s appeal will necessitate extensive research in order for Respondent to properly prepare the Initial Brief of Respondent. Furthermore, in support of his appeal, Appellant has designated twenty-three different items for inclusion in the Record on Appeal, including eight orders and amended orders, six motions, three briefs, two transcripts, and numerous reports and exhibits. Collectively, these documents total several hundred pages and have taken and will take a substantial period of time to procure and review.

Due to the volume of documents involved in Appellant’s appeal, the four substantial issues raised on appeal, and the undersigned counsel’s heavy caseload in addition to Appellant’s case, Respondent has been unable to complete this appeal on time and requires additional time to thoroughly and accurately respond to the issues raised by Appellant. Additionally, Respondent believes it will be necessary to file a motion to strike in this case, which will require additional time. Under the circumstances, Respondent believes the second extension request was appropriate and asks this Court to grant that request. In support of the request, the undersigned counsel for Respondent

again affirms the request is not intended for purposes of delay and has solely been filed in an effort to ensure the Brief of Respondent is properly researched and prepared. The undersigned counsel for Respondent further asserts he is diligently working on this appeal and will strive to minimize the need for any future extension requests in this case.

Once again, I appreciate your consideration of Respondent's second extension request and ask that you hold the filing time in abeyance during the time in which this request is pending. Thanks, and if you should have any questions or concerns or need any additional information, please contact me at (803) 734-3727.

Sincerely,



Mark R. Farthing
Assistant Attorney General
Bar Number 76901

MRF/erd

cc: Desa Ballard, Esquire
Harvey Watson, III, Esquire
Carson Henderson, Esquire
Billy J. Garrett, Jr., Esquire
Victim Services