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March 5, 2015
Via Fax and First Class Mail

South Carolina Court of Appeals
P.O. Box 11629
Colombia, SC 29211
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SC Court of Appeals

Re: The State, Respondent v. Joshua Ellsworth, Appellant
Appellate Case No. 2015-000239

Dear Clerk:

On behalf of appellant Joshua Ellsworth, we are writing to advise that we intend to timely order from the lower court, pursuant to Rule 207(a), additional transcripts. Until we receive and review said transcripts we cannot determine whether they will be incorporated into the record to be submitted on appeal. If not, and if the only transcripts to be used are those received to date, including, transcripts of the from the change of plea and sentencing hearings, said transcripts have been received. As previously indicated, the sentencing transcript was received February 8, 2015. Therefore, per Rule 208(a), Appellant's Initial Brief is due within 30 days after receipt, which would be by March 10, 2015.

Because appellant needs additional time to receive and review further transcripts, and prepare his opening brief, Mr. Ellsworth is hereby respectfully requesting a 30 day extension of the initial brief filing deadline to April 9, 2015. However, upon receipt of the additional transcripts, if it is determined said transcripts will be incorporated into the record on appeal, the initial brief filing deadline will, per Rule 208(a)(1), automatically extend to 30 days after receipt of the additional transcripts, thereby further extending the initial opening brief deadline.

Thank you kindly for your consideration.

Sincerely,


JAMES BUSTAMANTE, Esq.
DAVID MARK FOSTER, Esq.

cc: South Carolina Attorney General's Office
Alan McCrory Wilson, Esq.
Salley W. Elliott, Esq.
Joshua R. Underwood, Esq.

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