

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Greenville County
The Honorable G. Edward Welmaker, Circuit Court Judge

Appellate Case No: 2015-000595

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AUG 26 2015

S.C. Supreme Court

THE STATE,

Respondent,

vs.

ERICK E. HEWINS,

Petitioner.

MOTION TO REPLY OUT OF TIME

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The State filed its “Return to Motion for Appeal Bond and Return to Motion “to Strike and Answer, Motion, or Pleading and Hold the State in Default” on August 25, 2015. The Return addressed both the inadvertent oversight of Petitioner’s request for Appellate bond and the merits of the bond request. In an effort to clarify the State’s request to this Court, the State now submits this motion to reply out of time.

II.

Petitioner filed a petition for Appellate Bond in a motion dated July 17, 2015. The State’s Return to the Motion was due within ten days. The State overlooked

Petitioner's motion, however, because the motion was attached to two additional correspondences, including a "Petitioner Motion to Dismiss," asking this Court "to dismiss Respondent Motion to deny petitioner certiorari and vacate court of Appeals decisions," and an amendment in which he asked the Court to "submit to be amended to motion dated on July 17, 2015 recording Respondent argument that petitioner was committing a parking violation." Petitioner has filed numerous motions and amendments to pleadings in which the relief sought is unclear, and the State respectfully submits Petitioner's procedural history and pro se filings are confusing.

The State respectfully asks this Court to relax the requirements of Rule 208(a)(2), SCACR, and permit the State to reply to Petitioner's request for Appellate bond out of time.

III.

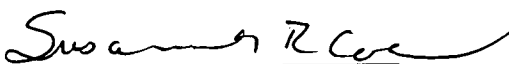
WHEREFORE, Respondent prays that this Court relax the requirements of Rule 240(e), SCACR, and permit Respondent to reply out of time; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

MARY S. WILLIAMS
Assistant Attorney General

SUSANNAH R. COLE
Staff Attorney

BY: 
Susannah Cole

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ATTORNEYS FOR RESPONDENT

August 26, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
Honorable G. Edward Welmaker, Circuit Court Judge

Op. No. 2014-UP-478 (S.C. Ct. App. filed December 23, 2014)
Appellate Case No. 2015-000595

THE STATE,

Respondent,

v.

ERICK E. HEWINS,

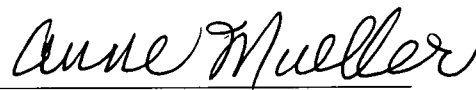
Petitioner.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the within Motion To Reply Out Of Time by depositing one copy of the same in the United States mail, postage prepaid, addressed to:

Erick E. Hewins, SCDC# 297728
McCormick Correctional Institution
386 Redemption Way
McCormick, SC 29899

I further certify that all parties required by Rule to be served have been served.
This 26th day of August, 2015.



Anne Mueller
Legal Assistant

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