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OCT 15 2015

SC Court of Appeals

ALAN WILSON  
ATTORNEY GENERAL

October 15, 2015

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

Re: The State v. Marcus Dwain Wright  
Appellate Case No. 2013-001406

Dear Ms. Kitchings:

This letter is in response to your letter of October 9, 2015. It was my intent that the final brief of Respondent fully comply with Judge Few's October 2, 2014 order of which I have attached a copy for your review. Appellant had raised seven issues with subparts in his initial direct appeal brief. Our initial brief consisted of 94 pages. Although the original WORD version of that document is not in our document management system, a pdf version of the original Initial Brief of Respondent was converted to a WORD document this date. This revealed that original brief in full consisted of 35, 667 words according to WORD properties.

Upon receipt of the Order of October 2, 2014, I endeavored to create a document fully complying with the intent of the order to reduce the brief size to 65 pages. This was done by removing significant portions of the original brief, as well as using footnotes to provide necessary information that I deemed appropriate. This was more than a simple reformatting of the original brief as suggested by your letter. According to WORD properties of the WORD version of the Amended Initial Brief of Respondent, it consisted of 27, 125 words. This evidences a reduction of words from 35,667 to 27,125 which is **8, 542 words less**. I trust the accuracy of the WORD program is correct.

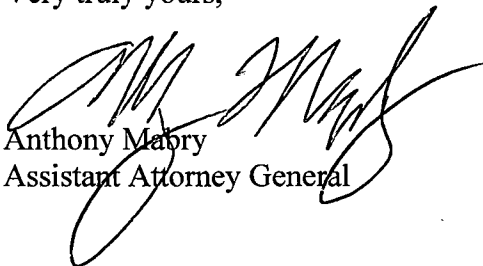
I regret that your initial perception may have suggested something different, but my intent was to comply with the Order and still present the Respondent's position in the strongest light in

Honorable Jenny A. Kitchings  
October 15, 2015

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the Amended Brief of Respondent based upon perceived weaknesses in the Appellant's brief and positions. If there are further questions, I will be happy to answer them.

Very truly yours,



Anthony Mabry  
Assistant Attorney General

AM/lbb  
Enclosure

cc: The Honorable John C. Few, Chief Judge  
Alan McCrory Wilson, Esquire  
J. Falkner Wilkes, Esquire  
Donald J. Zelenka, Esquire  
John W. McIntosh, Esquire  
Jimmy A. Richardson, Solicitor

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The South Carolina Court of Appeals <sup>SC</sup> Court of Appeals

The State, Respondent,

v.

Marcus Dwain Wright, Appellant.

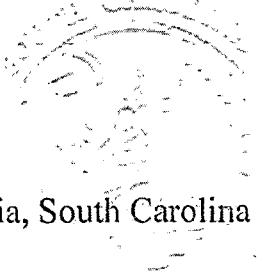
Appellate Case No. 2013-001406

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ORDER

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Respondent has filed a motion to exceed the page limit for its initial brief as set forth in Rule 208(b)(5) of the South Carolina Appellate Court Rules and seeks to file a brief ninety-four pages in length. After careful review of the parties' filings, we find the issues raised on appeal do not demand a brief of this length. However, Respondent may file an amended brief totaling no more than sixty-five pages in length. Respondent has thirty days to serve and file the amended brief, and Appellant's reply brief shall be due ten days thereafter.



  
FOR THE COURT

Columbia, South Carolina

cc: Alan McCrory Wilson, Esquire  
J. Falkner Wilkes, Esquire  
Donald J. Zelenka, Esquire  
J. Anthony Mabry, Esquire

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