

STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

CERTIORARI TO ORANGEBURG COUNTY
Court of Common Pleas

DEC 19 2016

S.C. SUPREME COURT

The Honorable Frank R. Addy, Circuit Court Judge

Appellate Case No. 2016-000138

Shelton D. Brown..... Petitioner,

v.

State of South Carolina, Respondent.

**PETITION TO RELAX RULE 243(G)
AND REQUEST FOR EXTENSION**

COMES NOW the Respondent above named, by and through the undersigned counsel, making its motion to Relax Rules 243(g), SCACR, would show unto this Court:

I.

The Respondent's Return to Petition for Writ of Certiorari was due on December 16, 2016. Respondent received service of the Petitioner's Petition for Writ of Certiorari on September 6, 2016. Respondent requested and was granted an extension from this Court on November 17, 2016 extending the due date to December 16, 2016. The Respondent inadvertently missed the filing deadline for its Return to Petition for Writ of Certiorari and now files this motion out of time. The Respondent submits the Return to Petition for Writ of Certiorari with this motion.

WHEREFORE, for these reasons, the Respondent respectfully requests that this Court relax Rule 243(g), SCACR, and accept the Respondent's Return to Petition for Writ of Certiorari dated December 19, 2016, in the above titled case, out of time.

Respectfully submitted,

ALAN WILSON
Attorney General

ROBERT BOLCHOZ
Chief Deputy Attorney General

JOHANNA VALENZUELA
Senior Assistant Deputy Attorney General

RUSTON W. NEELY
Assistant Attorney General

P.O. Box 11549
Columbia, S.C. 29211
(803) 734-3737

By: 
Attorneys for the Respondent

December 19, 2016

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO ORANGEBURG COUNTY
Court of Common Pleas

The Honorable Frank R. Addy, Circuit Court Judge

Appellate Case No. 2016-000138

SHELTON D. BROWN,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Petition to Relax**, has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

Tiffany L. Butler, Esquire
SC Commission of Indigent Defense
Post Office Box 11589
Columbia, SC 29201

This 19th day of December, 2016


BRIANNA ARNONE
LEGAL ASSISTANT



ALAN WILSON
ATTORNEY GENERAL

December 19, 2016

RECEIVED

DEC 19 2016

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: Shelton D. Brown v. State of South Carolina
Appellate Case No. 2016-000138
Lower Court Case No. 2012-CP-38-0468

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Petition to Relax. By copy of this letter we are serving opposing counsel today.

Sincerely,

Ruston W. Neely
Assistant Deputy Attorney General
SC Bar No. 100192

RWN/bea
Enclosures

cc: Tiffany L. Butler, Esquire (2 copies)