

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY

JAN 12 2017

G. Thomas Cooper, Jr., Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2016-001902

Michael Wayne Jeffcoat #257930,Appellant,

v.

The State of South Carolina, Respondent.

RETURN TO MOTION FOR EXTENSION OF TIME

The Respondent, State of South Carolina, opposes the Appellant's motion for extension of time to order the transcript. Rule 207 of the SCACR requires that the transcript must be ordered within thirty (30) days of the date of service of the notice of appeal. Appellant served the notice of appeal on September 12, 2016. On December 15, 2016 the Clerk of Court sent Appellant a letter notifying him that he must file a copy of the letter showing that he ordered the transcript from the court reporter, along with a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207. Appellant did not mail his motion for extension of time until December 28, 2016, in excess of 10 days past the December 15, 2016 letter. Additionally, in Appellant's motion for extension of time, he indicates that he still has not ordered the transcript. The filing deadline set for ordering the transcript in Rule 207 has been substantially exceeded and, even after notice from the Clerk of Court, Appellant has taken no action to order the transcript. Accordingly, the Respondent would ask that the court deny Appellant's motion for extension.

Respectfully submitted,

BY: Harley I. Kirkland
HARLEY I. KIRKLAND
Assistant Attorney General
S.C. Bar No. 100382
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-0406

ATTORNEY FOR RESPONDENT

Columbia, South Carolina
January 11, 2017

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY

G. Thomas Cooper, Jr., Circuit Court Judge

Appellate Case No. 2016-000957

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SC Court of Appeals

Michael Wayne Jeffcoat #257930,Appellant,

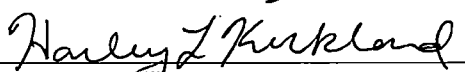
v.

The State of South Carolina,Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I served the Respondent State of South Carolina's Return to Appellant's Motion for Extension of Time in the above-captioned matter by depositing a copy of said document in the United States mail, postage prepaid, on January 11, 2017, addressed to:

Michael Wayne Jeffcoat #257930
386 Redemption Way
McCormick SC 29899


HARLEY L. KIRKLAND
Assistant Attorney General
S.C. Bar No. 100382
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-0406

Columbia, South Carolina
January 11, 2017



ALAN WILSON
ATTORNEY GENERAL

January 11, 2017

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JAN 12 2017

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Post Office Box 11629
Columbia, South Carolina 29211-1629

Re: Michael Wayne Jeffcoat #257930 vs. The State of South Carolina
Appellate Case Number: 2016-001902

Dear Ms. Kitchings:

Please find enclosed for filing the original and one (1) copy of the Respondent's Return to Motion for Extension of Time. I have not enclosed a filing fee because the State of South Carolina is exempt.

I would appreciate your acknowledging receipt of these documents by date-stamping the extra copies enclosed and returning them to me via the enclosed return envelope. Also, enclosed is a certificate of service for the Motion.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

HARLEY L. KIRKLAND
Assistant Attorney General

cc: Michael Wayne Jeffcoat #257930



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SC Court of Appeals

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