

In The South Court of Appeals

The State, Respondent

v

Robert Max Watkins, Appellant

Appellate Case No. 2016-000966

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FEB 03 2017

SC Court of Appeals

The Honorable Edward W. Miller
Greenville County
Trial Court Case No. 2002GS2301063

Motion for a Summary Judgment.

The above listed Appellant comes before this honorable Court, by way of Affidavit, for a motion for a Summary Judgment, pursuant to the Respondent's failure to comply with S.C. Court of Appeals order filed on 12-30-16. In which this Court extended the Respondent's request for an extension to filed pursuant to S.C. 208, and 209 Respondent's initial brief and designation of matter by until January 27, 2017...
See Attached Sworn Affidavit in Support of:

Sworn Affidavit in Support of Motion for
a Summary Judgment

Appellate Case No 2016-000966

On December 30, 2016 For good cause shown, the S.C. Court of Appeals granted the Respondents' request for an extension to serve and file the Respondent's initial brief and designation of matter, until January 27, 2017. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009.

Which was the Respondents 3rd request for an extension of time to file the Respondent's initial Brief and designation of matter pursuant to SCACR 208, and 209. Appellant claims that he was not served on January 27, 2017 pursuant to this Court's order dated 12-30-2016 and SCACR 208, and 209; nor was it filed by Respondent an initial Brief and designation of matters with the S.C. Court of Appeals. Therefore due to failure of the Respondent to comply with this Court order and SCACR 208, 209, see order attached as Exhibit #1. Appellant request an order to be issued by this Court, granting his Motion for a Summary Judgment in his favor or the Relief sought on appeal of appellate Case no# 2016-000966, being ~~an~~ reversal of his conviction and sentence

on the grounds set forth in his initial Brief of Appellant.
and grant him a new trial.

Robert Watkins
signature

Robert M Watkins
243803 Q2A118
Perry Corro Inst
430 Oaklawn Rd
Pelzer SC 29669

Sworn to before me
on this 30th day Jan month 2017 year
SC Notary Jerry C. Marchant Exp. Date 1-23-2023

c.c. Alan Mc Croy Wilson / Megan Harrigan James
of the S.C. Attorney General's office.

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SC Court of Appeals

Proof of Service

On 1-30-2017 I Robert M. Watkins placed in the Perry Correctional
Institution mail room window for delivery by U.S. Postal, My Motion for
a Summary Judgment with Support Sworn Affidavit in support of
Motion for Summary Judgment appellate case # 2016-000966, addressed
to Assistant Attorney General Megan Harrigan James.

Witnessed by:

Robert M Watkins 243803 Q2A118
Perry Correctional Institution
430 Oaklawn Rd
Pelzer SC, 29669

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JAN 28 2017

P.C.I. MAILROOM

Re Robert M Watkins

Appellate Case No 2016-020966

1-30-2017

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FEB 03 2017

SC Court of Appeals

Dear Jenny ABBOTT Kitchin ~~Esq~~ Clerk.

Enclosed you will find Appellants
Motion for Summary Judgment and Supporting Sworn
affidavit and proof of Service. If the Respondent,
being the State of South Carolina Attorney General's Office
has, not by January 27, 2017 filed an initial Brief
of Respondent and designation of matters to be included
on the record of appeal for the above listed case.

Please file my enclosed Motion for Summary Judgment
Supporting Sworn Affidavit and Proof of Service and Exhibit.

Thank you

Sincerely Yours

Robert M Watkins 24382342116

Rose Appellant.

P.C.F.

430 Oaklawn Rd

Pelzer SC 29669.

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Robert M Watkins 24380362A US
Perry Correctional Institution
430 Oaklawn Rd
Pelzer SC 29669



Office of the Clerk of Court of S.C. Court of Appeals
Jenny ABBOTT Kitchings, Clerk
P.O. Box 11629
Columbia South Carolina, 29211

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