

STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM SALUDA COUNTY
Court of General Sessions
Honorable J. Michael Baxley, Circuit Court Judge

MAR 13 2017
SC Court of Appeals

Appellate Case No. 2013-002304

THE STATE,RESPONDENT,

v.

GERALD RUDELL WILLIAMS,APPELLANT.

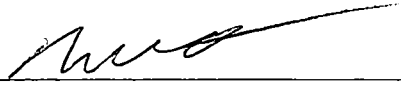
MOTION TO ARGUE AGAINST PRECEDENT

The undersigned respectfully shows this Court:

- (1) Appellant relies on State v. King, 412 S.C. 403, 772 S.E.2d 189 (Ct. App. 2015) as controlling precedent. See Brief of Appellant.
- (2) Oral argument in this matter is scheduled for March 14, 2017, at 10:40 a.m.
- (3) Respondent submits that the specific facts of this particular case distinguish it from King. Alternatively, Respondent respectfully moves to argue against the precedent of King to the extent Appellant contends it holds attempted murder is a specific intent crime.

Respectfully submitted,

WILLIAM F. SCHUMACHER, IV
Assistant Attorney General

BY: 

William F. Schumacher, IV
Bar # 100231
Office of the Attorney General
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Columbia, SC 29211
(803) 734-3922

ATTORNEY FOR RESPONDENT

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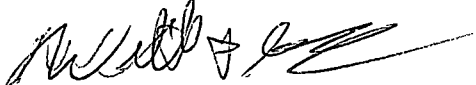
v.

GERALD RUDELL WILLIAMS,APPELLANT.

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the Motion to Argue Against Precedent in the above referenced case has been served upon opposing counsel, David Alexander, Esquire this 13th day of March, 2017 at the below address:

David Alexander, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589



WILLIAM F. SCHUMACHER, IV
Assistant Attorney General

March 13, 2017



ALAN WILSON
ATTORNEY GENERAL

March 13, 2017

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SC Court of Appeals

HAND-DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: State v. Gerald Rudell Williams – Appellate Case No. 2013-002304

Dear Ms. Kitchings:

I am enclosing the original and six copies of the Motion to Argue Against Precedent for the upcoming oral argument on March 14, 2017.

Sincerely,

William F. Schumacher
Assistant Attorney General
S.C. Bar Number 100231

WFS/kc

cc: David Alexander, Esquire
Victim Services