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ATTORNEY GENERAL

August 9, 2019

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S.C. SUPREME COURT

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

Re: Hector J. Vazquez, #363120 v. State of South Carolina
Appellate Case No. 2018-001912

Dear Mr. Shearouse:

The Return to Petition for Writ of Certiorari in the above appeal is due to be served and filed today. However, this is to respectfully request a third 30-day extension to serve and file this Return. By his signature below, Victor R. Seeger, indicates that he consents to this extension.

This extension request is not intended for the purpose of delay. Rather, this extension request is necessitated by the need to correct a material scrivener's error. Specifically, the post-conviction relief transcript has an incorrect judge listed as presiding judge on the coversheet. In his petition for a writ of certiorari, Petitioner's entire argument is premised on the impropriety of the post-conviction relief order because it was not signed by the presiding judge based on this scrivener's error. Counsel for Respondent reached out to counsel for Petition to resolve this issue, along with documentation to support this scrivener's error and show the proper judge signed the post-conviction relief order. Respondent also reached out to the court reporter to correct this scrivener's error. Thereafter, Petitioner's counsel responded, acknowledged the error, and has requested additional time to resolve this issue. Accordingly, based on the foregoing, Respondent respectfully moves for a third extension to file the return to the petition in an attempt to resolve this matter. Respondent still has not heard back from the court reporter about the request to correct the transcript coverage. Respondent is prepared to address the issue on the merits if it is not resolved before the next extension deadline.

Sincerely,

Jacob A. Isenberg
Assistant Attorney General
S.C. Bar No. 103830

cc: Victor R. Seeger, Esquire

In compliance with: *In Re: Extensions in Criminal and Post-Conviction Relief Cases*, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1).

Victor R. Seeger,
Counsel for Petitioner

Megan Harrigan Jameson
Senior Assistant Deputy Attorney General