

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dorchester County
Honorable Brian M. Gibbons, Circuit Court Judge
Appellate Case Tracking No. 2019-001067

RECEIVED
JAN 27 2020
Appellant,
SC Court of Appeals

The State,

vs.

Christopher Huggins,

Respondent.

RETURN TO MOTION TO DISMISS

Appellant the State, through its undersigned counsel, would respectfully show unto this Court as follows:

Respondent has served and filed a Motion to Dismiss indicating the State's Initial Brief of Appellant and Designation of Matter were not timely filed. The Motion correctly indicates the Brief and Designation were due to be served and filed on January 15, 2020. However, on January 16, 2020, the State served and filed an extension request out of time asking the Court to relax the time and allow a first extension out of time. The State sought a first extension of thirty days to serve and file the Initial Brief of Appellant and the Designation of Matter. The State received the Motion to Dismiss on the same date it received this Court's Order granting the extension.

The State asks the Court to deny the Motion to Dismiss, grant the State's motion for an extension out of time, and grant the State thirty days from the date the Court rules on the Motion to Dismiss to serve and file its Initial Brief of Appellant and Designation

of Matter. The State's actions were not intended to cause delay and Respondent cannot indicate how he would be prejudiced by allowing the State the extension.

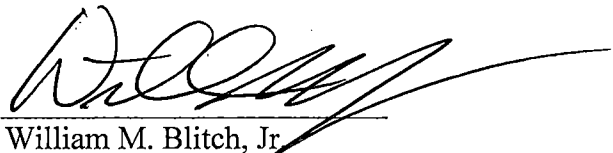
WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and deny the Motion to Dismiss and grant the State's motion for an extension out of time; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General

BY:



William M. Blitch, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

January 27, 2020

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Return to Motion to Dismiss on Respondent by having delivered a copy to:

Adam J. Russo, Esquire
Drennan Law Firm
1350B Chuck Dawley Blvd.
Mount Pleasant, South Carolina 29464

I further certify that all parties required by Rule to be served have been served.

This 27th day of January, 2020.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

January 27, 2020

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SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Christopher Huggins
Appellate Case No. 2019-001067

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Return to Motion to Dismiss along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Senior Assistant Deputy Attorney General

Enclosures

cc: Adam J. Russo, Esquire
Victim Advocacy Division