

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

APPEAL FROM SPARTANBURG COUNTY
COURT OF COMMON PLEAS

SEP 10 2020
SC Court of Appeals

Honorable TMD

Case No. 2020-CP-42-01021

Appellate Case No. 2020-000679

John Douglas Alexander, #194748,

Appellant,

vs.

Alan M. Wilson; and The State,

Respondent.

MOTION FOR DEFAULT / SUMMARY JUDGMENT

Appellant:

John D. Alexander, #194748
Department of Corrections
430 Oaklawn Road
Pelzer, South Carolina 29669

COMES, John Alexander, Appellant above with a Motion For Default / Summary Judgment and will show:

That on August 17, 2020 The South Carolina Court of Appeals directed the Respondent to serve and file its initial brief and designation of matter, along with a motion requesting permission to serve and file the brief and designation outside of the filing deadlines set by Rules 208 and 209 of the SCACR within ten days of the Court's letter. "Respondent's initial brief will not be considered if no motion is made within ten days of the date of the letter."

Clearly, the Record establishes no timely Respondent's initial brief and designation of matter was served or filed pursuant to the South Carolina Appellate Court Rules. Likewise, no timely motion requesting permission to serve and file an initial brief and designation outside of the filing deadlines set by Rules 208 and 209, SCACR were filed within 10 days of The Court of Appeals letter dated August 17, 2020.

Wherefore, it is prayed that this Honorable Court grant the Motion For Default / Summary Judgment where there is no genuine issue of material fact in dispute. Neither is there a demonstrable just cause to justify or excuse Respondent's default. Grant the relief sought in the appeal. And, grant any other judicial relief and justice it deem just and proper.

Dated 9/8/20.

Respectfully Submitted,
John D. Alexander

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PROOF OF SERVICE

I, John Alexander, certify today this 8 day of September, 2020, that I sent the Motion For Default / Summary Judgment United States Post Services, prepaid, to Alan M. Wilson, Esquire, Office of the Attorney General, Post Office Box 11549, Columbia, South Carolina 29211.

Respectfully Submitted,
John Alexander

Sworn and Subscribed
this 8th day of September, 2020
Tamara Crowell

Notary Public

My Commission Expires September 25, 2023

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SEP 08 2020

P.C.I. MAILROOM

John Alexander, #194148
Department of Corrections
430 Oaklawn Road
Pelzer, SC 29669

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SC Court of Appeals

The South Carolina Court of Appeals
Clerk's Office
Post Office Box 11629
Columbia, SC 29211

LEGAL MAIL