

RECEIVED

Oct 21 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Pickens County
Honorable Perry W. Gravely, Circuit Court Judge

Appellate Case No: 2021-00184

THE STATE,

Respondent,

vs.

CHARLES BRANDON RAMPEY,

Appellant.

**PETITION TO RELAX RULE 208(a)(2) SCACR, AND RULE 209(a) SCACR
AND MOTION FOR A FIRST EXTENSION**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter were due to the Court Tuesday, October 20, 2021. However, due to a calendaring error, counsel for the State failed to file its Initial Brief of Respondent and Designation of Matter on time.

II.

As a result of the calendaring error, the State respectfully asks this Court to relax the requirements of Rule 208(a)(2) SCACR, and Rule 209(a) SCACR, and permit the State to file a motion for a first extension of time within which to serve and file its Initial Brief of Respondent and Designation of Matter out of time. See Rule 263(b), SCACR (“The time prescribed by these

Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”). Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Initial Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

This motion for extension is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

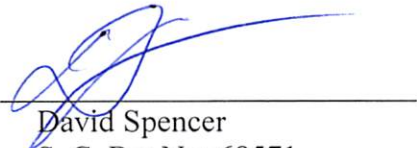
WHEREFORE, Respondent prays that the Court will relax the requirements of 208(a)(2) SCACR and 209(a) SCACR and permit the filing of this motion for a third extension for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

DAVID SPENCER
Senior Assistant Attorney General

BY: _____


David Spencer
S. C. Bar No: 68571

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

October 21, 2021

RECEIVED

Oct 21 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Pickens County
Honorable Perry H. Gravely, Circuit Court Judge

Appellate Case No: 2021-000184

THE STATE,

Respondent,

vs.

CHARLES BRANDON RAMPEY,

Appellant.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the Petition to Relax Rule 208(a)(2) SCACR and 209(a) SCACR and Motion for First Extension on Appellant by depositing one copy of the same in the United States mail, postage prepaid, addressed to his attorney of record, William G. Yarborough, III, Esquire, 308 W. Stone Avenue, Greenville, SC 29609. Counsel of record was also served by electronic mail to the address listed for counsel in AIS.

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

This 21st day of October, 2021.


Anne A. Mueller

Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

From: [Anne Mueller](#)
To: wgyarborough@gmail.com
Cc: [David Spencer](#); [William Blitch \(wblitch@scag.gov\)](mailto:wblitch@scag.gov); [Anne Mueller](#)
Bcc: [Victim Services](#)
Subject: FW: State v. Charles Brandon Rampey, Appellate Case No. 2021-000184
Date: Thursday, October 21, 2021 12:02:00 PM
Attachments: [image001.png](#)
[Rampey Charles - 2021-000184 - Petition To Relax Rule 208\(a\)\(2\) and 209\(a\) SCACR and Motion For Extension \(02792205xD2C78\).PDF](#)

Mr. Yarborough,

I mistakenly served you with a Petition and Motion with an unsigned certificate of service. Attached to this email is a Petition/Motion with a signed proof of service.

I apologize for my mistake.

Sincerely,

Anne Mueller, Legal Assistant to Senior Assistant Attorney General David Spencer

Anne

From: Anne Mueller
Sent: Thursday, October 21, 2021 11:11 AM
To: wgyarborough@gmail.com
Cc: David Spencer <DSpencer@scag.gov>; William Blitch (wblitch@scag.gov) <wblitch@scag.gov>; Anne Mueller <amueller@scag.gov>
Subject: State v. Charles Brandon Rampey, Appellate Case No. 2021-000184

Good morning, Mr. Yarborough.

Attached to this email is a copy of the State's Petition to Relax Rule 208(a)(2) SCACR and Rule 209(a) SCACR and Motion For First Extension in the above matter, as well as our cover letter. We plan to file this Petition and Motion with the Court electronically later today. You will also be receiving this document by U.S. Mail.

As a courtesy, please confirm by return email that you have received this email and the attachments.

Anne A. Mueller, Legal Assistant
Office of the South Carolina Attorney General
Criminal Appeals Division • Office 803-734-3922 • scag.gov



This email, which includes any attachments, is considered confidential and may be legally privileged. If you have received it in error, please notify the sender immediately by reply email and then delete this message from your system. Please do not copy it, use it for any purposes, or disclose its contents to any other person. This email is subject to FOIA requests. Thank you for your cooperation.