

STATE OF SOUTH CAROLINA)
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 COUNTY OF GREENVILLE)
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IN THE COURT OF GENERAL SESSIONS
 THIRTEENTH JUDICIAL CIRCUIT

In Re:)
)
 Compliance with)
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S.C.R.Crim.P.3)

ADMINISTRATIVE ORDER

The state has petitioned the court for an order granting an extension of time in which to act on warrants. The request is well founded and is hereby granted.

S.C.R.Crim.P.3(c) mandates that "[w]ithin ninety (90) days after receipt of an arrest warrant from the Clerk of Court, the solicitor shall take action on the warrant by (1) preparing an indictment for presentment to the grand jury, which indictment shall be filed with the Clerk of Court, assigned a criminal case number, and presented to the Grand Jury; (2) formally dismissing the warrant, noting on the face of the warrant the action taken; or (3) making other affirmative disposition in writing and filing such action with the Clerk of Court."

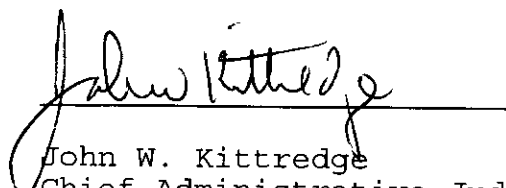
Rule 3(d) permits the court, upon request for good cause shown, to grant successive ninety day periods in which to take action on an arrest warrant. The court has carefully reviewed the solicitor's office's caseload together with Solicitor Ariail's commendable efforts in reducing the state's backlog of cases. The court is convinced that the present volume of warrants, coupled with the state's desire to present only cases of prosecutorial

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merit to the grand jury¹, establishes good cause entitling the state to a ninety-day extension.

It is ordered that the state is granted a ninety-day extension on all pending warrants in which to comply with Rule 3(c). Therefore, the state is granted a time period of 180 days in which to comply with Rule 3(c). This order is without prejudice to the right of the state to seek additional extensions of time pursuant to Rule 3(d). Should any defendant who is subject to this order wish to challenge or otherwise object to the extension of time in which to comply with Rule 3(c), he or she shall file a proper motion together with supporting affidavit(s) and memorandum of law².

AND IT IS SO ORDERED.


John W. Kittredge
Chief Administrative Judge
Court of General Sessions

Greenville, South Carolina
September 6, 2000

¹ It is undisputed that many warrants are improvidently issued and have no prosecutorial merit.

² The previously issued sanction is rescinded.