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Jun 20 2022

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

On Petition for Writ of Certiorari to Richland County
Court of Common Pleas
Honorable Brooks P. Goldsmith, Circuit Court Judge

Appellate Case No. 2021-000946

ARTHUR W. MACON,

Petitioner,

vs.

THE STATE,

Respondent.

**MOTION FOR FOURTH EXTENSION TO FILE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

Respondent, the State, moves this Court for an additional ten-day extension of time in which to file the return to petition for writ of certiorari, **up to and including June 30, 2022**, in the above-captioned post-conviction relief appeal. This is the State's fourth request for an extension of time in which to file the return. In support of the request, undersigned counsel would respectfully show this Court:¹

1. The petition for writ of certiorari is due to be filed with this Court today, June 20, 2022. The Court has granted the State three previous extensions.

¹ 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).

2. Counsel did not handle the case below and was assigned the case after the petition for writ of certiorari was filed. Accordingly, based on the multiple issues raised, counsel has spent a significant amount of time researching and reviewing the record.
3. In the past thirty days, undersigned counsel has:
 - a. Represented the State in the post-conviction relief term in the 11th Circuit held June 6–10, 2022, before the Honorable Jocelyn Newman;
 - b. Drafted and submitted a proposed final order of dismissal to the circuit court in *Troy Burks v. State*, 2018-CP-23-3312, on June 14, 2022;
 - c. Drafted and submitted a proposed final order of dismissal to the circuit court in *John Norris v. State*, 2021-CP-04-1849, on June 15, 2022;
 - d. Filed a return with the circuit court in *Donald Chewning v. State*, 2021-CP-32-2975, on June 15, 2022;
 - e. Drafted and submitted a proposed final order of dismissal to the circuit court in *Albert Evans v. State*, 2021-CP-04-1650, on June 16, 2022;
 - f. Drafted and submitted a proposed order of dismissal to the circuit court in *Edward Chandler v. State*, 2020-CP-19-0085, on June 17, 2022; and

- g. Drafted and submitted a proposed order of dismissal to the circuit court in *Jake Lake v. State*, 2020-CP-32-03027, on June 17, 2022.
4. Greater specificity as to the undersigned's workload can be provided upon request.
 5. Since counsel's last request for an extension, she was out of the office on a pre-planned family vacation from May 18–June 1, 2022.
 6. Counsel is simultaneously preparing for the upcoming post-conviction relief term in the 3rd Circuit, to be held June 27–July 1, 2022, before the Honorable Clifton Newman
 7. Prior to filing this motion, undersigned counsel communicated with counsel for Petitioner, who does not oppose this request.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned is currently working on the return and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the petition.

THEREFORE, undersigned counsel for the State respectfully requests a **fourth and final ten-day extension** until **June 30, 2022**, in which to complete and file the return to petition for writ of certiorari based upon the above exigent circumstances.

Respectfully submitted,

s/LillianMeadows
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**We concur that extraordinary circumstances
have been shown**

s/MeganJameson
MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General

s/DonZelenka
DONALD J. ZELENKA
Deputy Attorney General

This 20th day of June 2022.