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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable William A. McKinnon, Circuit Court Judge

MARK ALLEN BRADBERRY,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE No. 2021-001449

MOTION FOR TIME EXTENSION TO SERVE
AND FILE JOHNSON PRO-SE RESPONSE
SHOWING EXTRAORDINARY CIRCUMSTANCES

Petitioner's last request for time extension was granted and extended until November 28, 2022. In that order petitioner was informed that no further extensions will be granted absent extraordinary circumstances. Petitioner comes before this court with extraordinary circumstances outside the petitioner's control. Petitioner presents the following facts in support of this motion:

1.

Attorney Robert B. Hall, has failed to respond to petitioner's written request for his defense case

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files. This is in clear violation of South Carolina Appellate Court Rule 407, Rules of Professional Conduct, Rules 1.16, 8:1(b), 8.4(a). Mr. Hall's actions in failing to respond or comply with petitioner's request is substantially prohibiting the petitioner from properly completing or preparing his pro-se response. This is outside the petitioner's control. Included with this motion you will find a copy of petitioner's request letter to Mr. Hall.

Considering the nature of this proceeding and the fact this is the petitioner's last chance to fully exhaust his claims in the state court before Habeas Corpus review (§ 2254 of federal rules of court). Not allowing the defendant time to remedy this issue with Mr. Hall and present all his claims to this state's highest court will prejudice the petitioner from fully exhausting his claims. Thus barring them from Federal review. Notwithstanding the fact petitioner is actually innocent and the person who killed his mother is still on the streets.

Conclusion

WHEREFORE, in light of the above extraordinary circumstances, the petitioner request a time extension to serve and file his pro-se response.

[Signature Block To Follow]

This the 14th day of November, 2022.

Respectfully Submitted,
Mark Allen Bradberry
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