

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED
Dec 07 2022
S.C. SUPREME COURT

Certiorari to Barnwell County
The Honorable Edward W. Dickson, Trial Judge
The Honorable William P. Keesley, PCR Judge

Appellate Case No. 2022-000920

DEXTER B. BROWN, II,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

**MOTION FOR SECOND EXTENSION TO SERVE AND FILE RESPONDENT'S
RETURN TO PETITION FOR WRIT OF CERTIORARI AND RETURN TO PETITION
FOR WRIT OF CERTIORARI PURSUANT TO *AUSTIN V. STATE***

Respondent hereby moves before this for a second extension of time in which to file its return to the petition for a writ of certiorari and its return to the petition for a writ of certiorari pursuant to *Austin v. State*, 305 S.C. 453, 409 S.E.2d 395 (1991). In support of this motion, the undersigned shows the following:

1. The Return to Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted counsel one previous extension.
2. This is the second request for an extension of time in which to file a response.
3. Counsel joined the Office of the Attorney General on November 2, 2022, and recently inherited this case from his predecessor.
4. Counsel appeared on behalf of the State at a PCR term in Abbeville County the week

of November 29, 2022. Counsel is currently appearing on behalf of the state at a PCR term in York County for the week of December 5, 2022.

5. Counsel is preparing orders for the PCR term in Abbeville County for the week of November 29, 2022.

WHEREFORE, Respondent prays that this Court will grant a second extension of thirty days for Respondent to serve and file its returns to the petitions.

Respectfully submitted,

ALAN WILSON
Attorney General

T. Cruise Mitchell
S.C. Bar. No. 105682
Assistant Attorney General

By: s/ T. Cruise Mitchell
Attorneys for Respondent
Post Office Box 11549
Columbia, South Carolina, 29211
(803) 734-3737

December 7, 2022

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).