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Jul 21 2023

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari To Spartanburg County
The Honorable G. D. Morgan, Jr., Circuit Court Judge

Appellate Case No: 2022-001029

JOHNNY CHAPMAN,

PETITIONER,

vs.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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

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

I.

The Return to Petition for Writ of Certiorari is due to the Court today, pursuant to three previous extensions granted by the Court.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a fourth extension in the above referenced appeal. Due to work required in other cases pending before this Court, counsel is unable to complete this Return on time. Since the last extension was granted in this matter, the undersigned filed a Return to Petition for Writ of

Certiorari in Davon Clark v. State of South Carolina (2022-000751) on June 20, 2023. On the same date, the undersigned represented the State at a PCR hearing held in Spartanburg in Jody Ray Thompson v. State of South Carolina (2022-CP-42-04095). On July 10, 2023, the undersigned submitted a proposed Order to the Honorable Frank R. Addy, Jr., the presiding judge at the PCR hearing. On July 15, 2023, the undersigned filed an Initial Brief of Respondent and Designation of Matter in The State v. Eryk J'Von Smith (2022-000723). On July 17, 2023, the undersigned filed an Initial Brief of Respondent and Designation of Matter in The State v. Samir Kevin Shank (2022-000650). On July 18, 2023, the undersigned filed a Final Brief of Respondent in The State v. Kelsey Nicole Spurlock (2022-000476).

In addition to these matters, this case was originally assigned to another attorney who has since left this office. When this matter was reassigned to the undersigned counsel two extensions had already been requested and granted by the Court, leaving the undersigned with less time than would normally be required to research and complete the State's return.

Also, the undersigned suddenly and unexpectedly lost her brother, a fire fighter, not long after this matter was assigned to her. Her brother's death kept her away from the office for several days while she grieved with her family. The undersigned counsel would therefore request an extension of time within which to serve and file the Return to Petition for Writ of Certiorari.

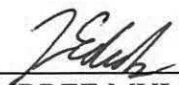
III.

This extension request 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 extend the deadline for the service and filing of the Return to Petition for Writ of Certiorari for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,


ALAN WILSON
Attorney General


for _____
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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By: 

William M. Blich, Jr.
Senior Assistant Deputy Attorney General

By: 

Donald J. Zelenka
Deputy Attorney General

July 21, 2023