

RECEIVED

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Jul 24 2023

S.C. SUPREME COURT

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Certiorari to Aiken County
The Honorable Robert J. Bonds, Post-Conviction Relief Judge
The Honorable Doyet A. Early, III, Trial Judge
Appellate Case No. 2022-000557
—————

MARKESE EAST,

Petitioner,

vs.

STATE OF SOUTH CAROLINA

Respondent.

—————
**MOTION FOR FOURTH EXTENSION OF TIME TO SERVE AND FILE
RETURN TO PETITION FOR WRIT OF CERTIORARI AND
BRIEF OF RESPONDENT PURSUANT TO WHITE v. STATE**
—————

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

I.

The Return to Petition for Writ of Certiorari and Brief Of Respondent Pursuant To White v. State are to be served and filed July 24, 2023.

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 PCR appeal. The undersigned believes extraordinary circumstances exist to warrant this fourth extension in part due to unexpected and significant staffing issues within the Post Adjudication section of the Attorney General's Office, including the assignment of PCR appeals to attorneys who normally handle only criminal appeals. The undersigned was not assigned to this case until two (2) extensions had already been requested by prior counsel. In the past 30 days the undersigned has filed a Return To

Petition For Writ Of Certiorari in Rajerick Knight v. State (2022-001244); an Initial Brief Of Respondent and Designation Of Matter in State v. Matthew Scott Young (2022-000218); a Petition For Rehearing in Mack Washington, Jr. v. State (2018-000182). The undersigned also represented the State in a PCR hearing held in Spartanburg in Lawton Holloway v. State (2022-CP-42-04266). A decision is pending in that matter and may require the undersigned to draft a proposed Order. In addition, today the undersigned will file with this Court the Brief Of Respondent in State v. Adam Martyn Rowell (2018-000022), and the Initial Brief Of Respondent and Designation Of Matter in State v. Andres Fernando Posso (2022-001396) will be filed today with the Court of Appeals.

Petitioner is represented by counsel from the Office On Indigent Defense, Division of Appellate Defense which by mutual agreement with this office consents to motions and requests for extensions of time of up to one month for briefs, returns, petitions, appendixes and records on appeal in matters with Appellate Defense or Appellate Defense (OID) funding. The current agreement expires on July 31, 2023.

III.

This extension request is not intended for purposes of delay, but rather to ensure the return is properly researched and prepared. I would, therefore, request a fourth extension of time within which to serve and file the Return to Petition for Writ of Certiorari and Brief Of Respondent Pursuant To White v. State.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion and extend the deadline for the service and filing of the Return to Petition for Writ of Certiorari in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

I have reviewed and approve this request:

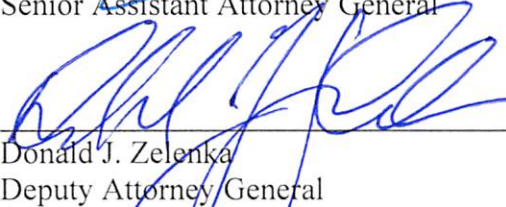
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July 24, 2023

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