



certiorari petition, progress had been made towards a potential resentencing hearing. *Id.* at 2. The Court granted the joint motion, resetting the resentencing hearing commencement deadline to September 18, 2023. ECF No. 106. The Supreme Court denied certiorari on May 22, 2023.

3. Resentencing counsel for Mr. Allen, Boyd Young, Chief Attorney of the Capital Trial Division of the South Carolina Commission on Indigent Defense, recently reached out to undersigned federal counsel for Mr. Allen to express a need for additional time to prepare for the resentencing hearing and to request the filing of this motion. Mr. Young represented that preparations for Mr. Allen's resentencing hearing have begun in earnest and that resentencing counsel for the State (the Fifth Judicial Circuit Solicitor's Office) and the for the defense are in agreement that August 19, 2024 is a reasonable and feasible date upon which to commence the hearing. Mr. Young further represented that he has multiple competing potential or firm capital trial dates in the interim: a potential October 2023 trial date in Greenville County, a firm February 2024 trial date in Florence County, and a potential June 2024 trial date in Orangeburg County. In light of the need for additional time to prepare Mr. Allen's case and the above-described competing responsibilities, Mr. Young does not believe it will be possible to effectively retry Mr. Allen's case by the current September 2023 deadline.

4. In light of the foregoing, Mr. Allen respectfully requests that the Court further extend the resentencing deadline to a date on or after the agreed-upon retrial date of August 19, 2024. Undersigned federal counsel for Mr. Allen have conferred with federal counsel for Respondent, Melody Brown, who represents that Respondent consents to the relief requested in the motion.

WHEREFORE, for the reasons stated above, Mr. Allen respectfully moves to extend the date by which the State of South Carolina must commence resentencing proceedings for Mr. Allen until August 19, 2024, or later.

Respectfully submitted,

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**VERIFICATION**

I declare under penalty of perjury that the foregoing is true and correct. Executed by court-appointed counsel for Petitioner on July 10, 2023.

/s/ E. Charles Grose, Jr.  
E. Charles Grose, Jr.

**CERTIFICATE OF SERVICE**

I, E. Charles Grose, Jr., hereby certify that I have on this date served this Second Motion for Extension of Time to Commence Resentencing Proceedings in the above-captioned case upon counsel for Respondent via ECF:

Donald J. Zelenka  
South Carolina Attorney General's Office

Melody J. Brown  
South Carolina Attorney General's Office

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Date: July 10, 2023