

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Jul 05 2024

S.C. SUPREME COURT

On Writ of Certiorari to Charleston County
Honorable Bentley Price, Circuit Court Judge
Appellate Case No. 2023-001329

TYRONE M. BENN,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE RETURN TO PETITION FOR WRIT OF CERTIORARI**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on July 5, 2024.

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 State moves for a **fourth** extension in the above-referenced post-conviction relief appeal and asks for an additional thirty days to complete the return in this case. Last week, the undersigned counsel filed a Petition for Writ of Certiorari and Appendix in the Supreme Court in State v. Mark Anthony Hailey, Jr. and a Brief of Respondent in the Court of Appeals in Levern McCrea v. State of South Carolina. Additionally, in the last few weeks, the undersigned counsel

has filed an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in State v. Celia Windham, State v. Lillian Mae Bates, and State v. Randy Lee Flower, and filed a Final Brief of Appellant in the Court of Appeals in State v. Juan Manuel Ramirez Sandoval.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned counsel is currently working on the return in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the return due to a heavy workload, other significant challenges that have resulted from substantial staffing issues that continue to be experienced by the undersigned counsel's office. Accordingly, in order to ensure the return is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the return.


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

Respectfully submitted,

ALAN WILSON
Attorney General

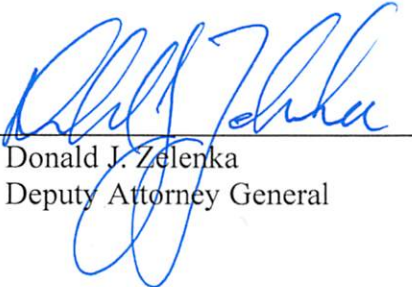
JOSHUA A. EDWARDS
Assistant Attorney General

By:


Joshua A. Edwards
S.C. Bar Number 101188

I have reviewed and approved this extension request.

By: 
Mark R. Farthing
Senior Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

July 5, 2024