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May 15 2025

S.C. SUPREME COURT

Exhibit E

STATE OF SOUTH CAROLINA)
)
 COUNTY OF Horry)
)
Jerome Jenkins, Jr., SCDC# 6034S)
 Plaintiff,)
 vs.)
State of South Carolina)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 15th JUDICIAL CIRCUIT
 CASE NO.: 2022-CP-26-08071

**MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET**

Plaintiff's Attorney: Charles Grose, Bar No. 66063 Address: 305 Main Street, Greenwood, SC 29646 Phone: 864-538-4466 Fax 864-538-4405 E-mail: charles@groselawfirm.com Other: _____	Defendant's Attorney: Melody J. Brown, Bar No. 12244 Address: P.O. Box 11549, Columbia, SC 29211 Phone: 864-734-6305 Fax _____ E-mail: mbrown@scag.gov Other: _____										
<input type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)											
SECTION I: Hearing Information											
Nature of Motion: Motion to Continue Estimated Time Needed: _____ Court Reporter Needed: <input type="checkbox"/> YES / <input checked="" type="checkbox"/> NO											
SECTION II: Motion/Order Type											
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order <div style="text-align: center; margin-top: 10px;"> <u>s/E. Charles Grose, Jr.</u> Signature of Attorney for <input checked="" type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant </div>											
SECTION III: Motion Fee											
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input checked="" type="checkbox"/> EXEMPT: (check reason) <table style="width:100%; margin-left: 20px;"> <tr> <td><input type="checkbox"/> Rule to Show Cause in Child or Spousal Support</td> <td><input type="checkbox"/> State Agency v. Indigent Party</td> </tr> <tr> <td><input type="checkbox"/> Domestic Abuse or Abuse and Neglect</td> <td><input checked="" type="checkbox"/> Post-Conviction Relief</td> </tr> <tr> <td><input type="checkbox"/> Indigent Status</td> <td><input type="checkbox"/> Motion for Execution (Rule 69, SCRCP)</td> </tr> <tr> <td><input type="checkbox"/> Sexually Violent Predator Act</td> <td><input type="checkbox"/> Motion for Stay in Bankruptcy</td> </tr> <tr> <td><input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions</td> <td></td> </tr> </table> Name of Court Reporter: _____ <input type="checkbox"/> Other: _____		<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support	<input type="checkbox"/> State Agency v. Indigent Party	<input type="checkbox"/> Domestic Abuse or Abuse and Neglect	<input checked="" type="checkbox"/> Post-Conviction Relief	<input type="checkbox"/> Indigent Status	<input type="checkbox"/> Motion for Execution (Rule 69, SCRCP)	<input type="checkbox"/> Sexually Violent Predator Act	<input type="checkbox"/> Motion for Stay in Bankruptcy	<input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions	
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<input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions											
JUDGE'S SECTION <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____										
CLERK'S VERIFICATION											
Collected by: <u>[Signature]</u> Date Filed: <u>11/30/2023</u> <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____											

FILED
 Horry County
 2023 NOV 30 P 1:25
 THE HONORABLE
 CLERK OF COURT
 Horry County, SC

THE STATE OF SOUTH CAROLINA)
)
 COUNTY OF HORRY)
)
 Jerome Jenkins, Jr., SCDC# 6034,)
 Applicant,)
)
 vs.)
)
 State of South Carolina,)
 Respondent.)
 _____)

IN THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT

Case No. 2022-CP-26-08071

**MOTION TO CONTINUE
 CAPITAL POST-CONVICTION RELIEF
 HEARING**

FILED
 HORRY COUNTY
 2023 NOV 30 P 1:25
 JENNIFER N. ELYS
 CLERK OF COURT
 HORRY COUNTY, SC

Applicant Jerome Jenkins, Jr., through his undersigned counsel, hereby moves this Court for an Order continuing the hearing in this capital post-conviction relief (“PCR”) action.

On June 21, 2023, the Honorable R. Kirk Griffin (“the Court”) held a status conference and appointed E. Charles Grose, Jr. and John L. Warren III to represent Applicant Jerome Jenkins, Jr. During the status conference, the State requested permission to file a Motion to Prohibit *Ex Parte* Funding Requests and Orders (“Motion”). The State also requested that the Court not receive any *ex parte* funding requests until the Motion was considered and ruled upon.¹ On July 19, 2023, the Court issued a Scheduling Order, which held that “[n]o *ex parte* funding requests will be received until a ruling is issued on [the State’s] motion.” Additionally, pursuant to S.C. Code Ann. § 17-27-160(C),² the Scheduling Order stated that “the evidentiary hearing in this matter is scheduled to begin on Monday, **December 4, 2023**, in the Horry County Courthouse.”³

¹ The State filed the Motion on July 5, 2023, and Applicant filed a Response in Opposition on August 18, 2023. The Motion has now been fully briefed and is awaiting argument and/or decision.

² “The hearing must be scheduled within one hundred eighty days from the date of the status conference, *unless good cause is shown* to justify a continuance.” (emphasis added).

³ According to Court Administration’s calendar, the Court is scheduled to be in chambers during the week of December 4, 2023. However, in light of the Scheduling Order, Applicant files this Motion to Continue out of an abundance of caution.

The undersigned have begun reviewing the voluminous trial record, which spans more than 3,700 pages. However, as in all capital PCR actions, the undersigned will need to engage the services of experts to assist in the investigation and presentation of Applicant's claims. As set forth in the Response in Opposition to the State's Motion, Applicant is permitted to seek *ex parte* and *in camera* funding for attorneys' fees, investigative expenses, and expert services. Seeking funding prior to the disposition of the Motion would materially prejudice Applicant and provide the State with privileged information and attorney work-product. Considering the pendency of the State's Motion, the voluminous trial record, and the need to conduct a thorough investigation, Applicant respectfully requests this Court continue the evidentiary hearing. *See* S.C. Code Ann. § 17-27-160(C) (permitting a continuance when "good cause is shown").

Respectfully Submitted,

By s/E. Charles Grose, Jr.

E. Charles Grose, Jr.
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By s/John Lafitte Warren, III

John Lafitte Warren, III
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Attorneys for Jerome Jenkins, Jr.

November 28, 2023

FILED
HORRY COUNTY
2023 NOV 30 P 1:25
RENEE N. ELVIS
CLERK OF COURT
HORRY COUNTY, SC

THE STATE OF SOUTH CAROLINA)
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IN THE COURT OF COMMON PLEAS
 FIFTEENTH JUDICIAL CIRCUIT

Case No. 2022-CP-26-8071

Certificate of Service

I certify that I have served a copy of this motion on the State of South Carolina, by emailing at copy to counsel, at counsel’s AIS email address, as reflected below:

Melody Jane Brown, Esquire
 S.C. Attorney General's Office
 PO Box 11549
 Columbia, SC 29211-1549
mbrown@scag.gov

FILED
 HORRY COUNTY
 2023 NOV 30 P 1:25
 RENEEN N. ELVIS
 CLERK OF COURT
 HORRY COUNTY, SC

By s/E. Charles Grose, Jr.

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November 28, 2023
 Greenwood, South Carolina