

STATE OF SOUTH CAROLINA  
In The Supreme Court

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AUG - 4 2015

APPEAL FROM BARNWELL COUNTY  
Court of Common Pleas

**S.C. Supreme Court**

The Honorable Doyet A. Early, III, Circuit Court Judge

Case No. 2014-001970

Tunzy Sanders,.....Petitioner,

v.

State of South Carolina,.....Respondent.

MOTION TO RELAX RULE 243(g), SCACR, AND MOTION FOR EXTENSION OF TIME  
TO SERVE AND FILE  
RESPONDENT'S RETURN TO PETITIONER'S MOTION

COMES NOW the Respondent above named, by and through the undersigned counsel, making its motion to Relax Rules 243(g), SCACR, and Motion for Extension of time to serve and file Respondent's Return to Petitioner's motion to suspend appeal and grant leave to file a Rule 29(b) motion for new PCR evidentiary hearing, would show unto this Court:

I.

The Return to Petitioner's motion in the above-captioned matter was due to be filed and served on August 3, 2015. Inadvertently, the due date for this matter was improperly calendared and the Return was not submitted.<sup>1</sup> Accordingly, the Respondent respectfully requests the Court to grant the Motion for Extension of time.

<sup>1</sup> Respondent intends to file his Return August 4, 2015.

II.

In view of the foregoing, it is respectfully requested that this Court relax Rules 243(g), SCACR, and allow the Respondent a **one day** extension of time to file the Return to Petitioner's motion.

WHEREFORE, it is respectfully requested that this Motion be granted.

Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

KAREN RATIGAN  
Senior Assistant Deputy Attorney General

By:   
ATTORNEYS FOR THE RESPONDENT

Daniel Gourley  
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By:   
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August 4, 2015.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Barnwell County  
Court of Common Pleas  
The Honorable Doyet A. Early, Circuit Court Judge

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TUNZY SANDERS,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

RESPONDENT.

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that a true copy of the **Motion to Relax Rule 243 (g), SCACR, And Motion for Extension of Time to Serve and File Respondent's Return to Petitioner's Motion**, has been served upon opposing counsel by mailing two (2) copies in the United States mail, postage prepaid:

John H. Strom, Esquire  
South Carolina Commission on Indigent Defense  
Post Office Box 11589  
Columbia, South Carolina 29211

This 4<sup>th</sup> day of August, 2015

  
CAROLINE COLLINS  
LEGAL ASSISTANT