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S.C. Supreme Court

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO THE COURT OF APPEALS
Appeal From Spartanburg County
The Honorable Gary E. Clary, Trial Judge
The Honorable Roger L. Couch, Post-Conviction Relief Judge

Opinion No. 5317 (S.C. Ct. App. filed May 13, 2015)

Appellate Case No. 2015-001553

Michael Gonzales,..... Petitioner,

v.

State of South Carolina; Respondent.

**AMENDED PETITION TO RELAX RULE
AND REQUEST FOR EXTENSION**

COMES NOW, Respondent, above named, by and through the undersigned counsel, making its Petition to Relax Rules 242 and/or 243 and Request for Extension, and would show unto this Court:

I.

Respondent's Return to Petition for Writ of Certiorari in the above-captioned matter was due to be filed and served on August 19, 2015. Attorney for Respondent is temporarily handing appellate matters for the Seventh Judicial Circuit (until a new attorney for the position is trained) and, through inadvertence, improperly calendared the Return to be due on

August 20th. Respondent requests (1) the rules be relaxed in order to file the Return out of time and (2) an extension of twenty (20) days be granted in order to file the Return to Petition for Writ of Certiorari.

II.

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

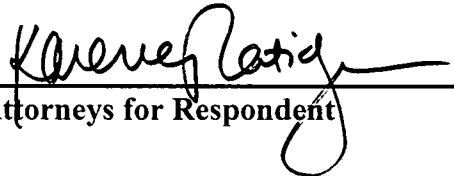
Respectfully submitted,

ALAN WILSON
Attorney General

KAREN C. RATIGAN
Senior Assistant Deputy Attorney General
S.C. Bar # 68331

P.O. Box 11549
Columbia, S.C. 29211
(803) 734-3737

By:



Attorneys for Respondent

August 21, 2015

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

PROOF OF SERVICE

I, Karen C. Ratigan, certify that I have today served the within Amended Petition to Relax Rule and Request for Extension upon Petitioner by depositing a copy of the same in inter-agency mail and addressed to:

Susan B. Hackett, Esquire
S.C. Comm'n on Indigent Defense, Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

I further certify that all parties required by Rule to be served have been served. This 21st day of August, 2015.


KAREN C. RATIGAN, S.C. Bar # 68331
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737



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S.C. Supreme Court

ALAN WILSON
ATTORNEY GENERAL

August 21, 2015

Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: **Michael Gonzales v. State**
Appellate Case No. 2015-001553

Dear Mr. Shearouse:

Enclosed please find for filing an original and six copies of the Amended Petition to Relax Rule and Request for Extension in the above-captioned case. If there are any questions or comments, please do not hesitate to contact me at any time.

Sincerely,

Karen C. Ratigan
Senior Assistant Deputy Attorney General

cc: Susan B. Hackett, Esquire