

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APR 09 2018

Certiorari to York County
The Honorable Frank R. Addy, Jr., Circuit Court Judge
S.C. SUPREME COURT

Appellate Case No.: 2016-001363

HUBERT BROWN,

Respondent,

v.

STATE OF SOUTH CAROLINA,

Petitioner.

**MOTION FOR FOURTH EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI**

Petitioner, the State, moves this Court for an additional thirty day extension of time in which to file the Petition for Writ of Certiorari up to and including May 9, 2018. This is Petitioner's fourth request for an extension of time in which to file the Petition. In support of the request, undersigned counsel would respectfully show the Court:

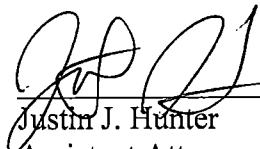
1. The Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. By Order dated January 24, 2017, this Court held the matter in abeyance pending the resolution of *State v. King*, Appellate Case No. 2015-001278, and granted Petitioner thirty days from the final decision in *State v. King* to file its petition. The Remittitur in *State v. King* was mailed March 9, 2018.
3. Since the Remittitur was issued in *King*, undersigned counsel has prepared cases for a term of PCR court in the Sixteenth Circuit, submitted a Petition for Writ of Certiorari

in *Kenneth Morris v. State* (Appellate Case No. 2017-002355), submitted a Return to Petition for Writ of Certiorari in *Abdul Emmanuel v. State* (Appellate Case No. 2017-001152), submitted post-trial briefs in *Maunwell Ervin v. State* (2015-CP-24-1268, 2015-CP-24-0754), and prepared numerous proposed orders from two recent terms of PCR court in the Eighth and Sixteenth Circuits.

4. Counsel now moves for a fourth extension of time in which to file the Petition in order to further evaluate *State v. King* and submit a meaningful Petition.
5. Counsel for the Respondent consents to this request shown by signature below.

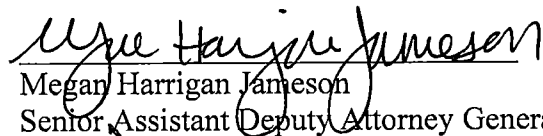
THEREFORE, undersigned counsel for Petitioner respectfully requests a **fourth and final thirty (30) day extension until May 9, 2018**, in which to complete and file the Petition for Writ of Certiorari in this case based upon the above exigent circumstances.

Respectfully submitted,

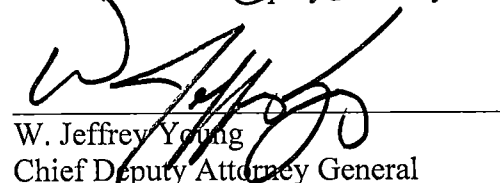


Justin J. Hunter
Assistant Attorney General
S.C. Bar # 101254
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737
Attorney for Petitioner

**We concur that extraordinary circumstances
have been shown**



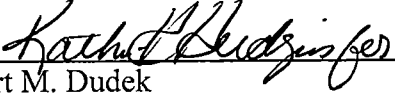
Megan Harrigan Jameson
Senior Assistant Deputy Attorney General



W. Jeffrey Young
Chief Deputy Attorney General

This 9th day of April, 2018

I consent:



Robert M. Dudek
Chief Appellate Defender

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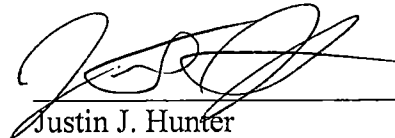
CERTIFICATE OF SERVICE

I, Justin J. Hunter, hereby certify that I have served the Motion for Fourth Extension to file the Petition for Writ of Certiorari, on Respondent by depositing a copy of same in the United States Mail, postage prepaid addressed to:

**Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211**

I further certify that all parties required by Rule to be served have been served.

This 9th day of April, 2018



Justin J. Hunter
Assistant Attorney General
S.C. Bar # 101254

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

ATTORNEY FOR PETITIONER



ALAN WILSON
ATTORNEY GENERAL

April 9, 2018

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S.C. SUPREME COURT

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

RE: Hubert Brown v. State of South Carolina
Appellate Case No. 2016-001363
Lower Court Case No. 2014-CP-46-4219

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the **Motion for Fourth Extension to File Petition for Writ of Certiorari** in the above mentioned case.

Sincerely,

Justin J. Hunter
Assistant Attorney General
SC Bar No. 101254

JJH/cc

cc: Robert M. Dudek, Esquire