

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County
The Honorable Frank R. Addy, Circuit Court Judge

Appellate Case No. 2017-001273

RECEIVED

JUN 15 2018

S.C. SUPREME COURT

Alfred Guy Henson,

Petitioner,

v.

State of South Carolina,

Respondent.

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

Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Return to Petition for Writ of Certiorari up to and including July 16, 2018. This is Respondent's fourth request for an extension of time in which to file the return. In support of the request, undersigned counsel would respectfully show the Court:

1. The Return to Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. This is the fourth request for an extension of time in which to file a response.
3. Counsel appeared on behalf of the state at a term of PCR hearing the week of April 2-6, 2018 and has been preparing orders and post-trial briefs from that term.
4. Due to staff turnover in the office, Counsel is temporarily handling an additional case


load and transitioning to a new case load assignment, which has required a significant amount of Counsel's attention in the past month.

5. Counsel appeared on behalf of the State at a PCR hearing in Florence on May 31, 2018, and a scheduling conference for all pending Fifth Circuit cases on June 1, 2018.
6. Counsel filed a Petition for Writ of Certiorari in Hubert Brown v. State (2016-001363) on May 9, 2018, a Return to Petition for Writ of Certiorari in Gregory F. Young v. State (2017-001653) on May 16, 2018, and is filing a Return to Petition for Writ of Certiorari in Ontaney V. Jackson v. State (2017-001412) on today's date.

This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The Return in the above case raises multiple issues on appeal. The undersigned is currently working on this Return and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the Return. **THEREFORE, undersigned counsel for Respondent respectfully requests a fourth and final thirty-day extension until July 16, 2018, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances.**

{Signatures on following page.}

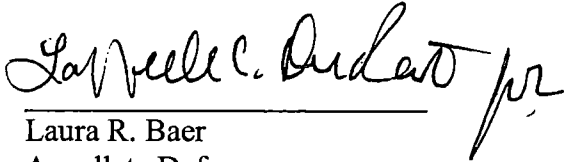
Respectfully submitted,



Lindsey A. McCallister
Assistant Attorney General
S.C. Bar # 79054
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737
Attorney for Respondent

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

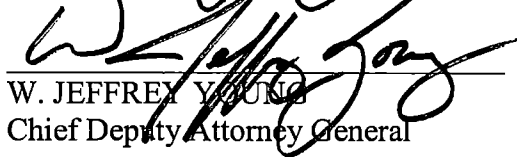
I consent:



Laura R. Baer
Appellate Defense



MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General



W. JEFFREY YOUNG
Chief Deputy Attorney General

This 15th day of June, 2018.

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ALFRED GUY HENSON,

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STATE OF SOUTH CAROLINA,

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CERTIFICATE OF SERVICE

I, Lindsey A. McCallister, hereby certify that I have served the Motion for Fourth Extension to file the Return to Petition for Writ of Certiorari, on Petitioner by depositing a copy of same in the United States Mail, postage prepaid addressed to:

**Laura R. Baer
S.C. Commission on Indigent Defense
Appellate Defense
PO Box 11589
Columbia, SC 29211**

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

This 15th day of June, 2018



LINDSEY A. MCCALLISTER
Assistant Attorney General
S.C. Bar # 79054
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

ATTORNEY FOR RESPONDENT



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S.C. SUPREME COURT
PCR DIVISION: 803.734.3737
PCR FACSIMILE: 803.734.4113

ALAN WILSON
ATTORNEY GENERAL

June 15, 2018

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

RE: Alfred Guy Henson v. State of South Carolina
Circuit Court Case No: 2013-CP-42-1936
Appellate Case No.: 2017-001273

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the **Motion for Fourth Extension to File Return to Petition for Writ of Certiorari**, in the above matter for filing in your office. By copy of this letter I am serving opposing counsel with this return today.

Sincerely,

Lindsey A. McCallister
Assistant Attorney General

LAM/jaj
Enclosures

cc: Laura R. Baer, Esquire (w/enclosure)