

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

JUN 15 2018

CERTIORARI TO SUMTER COUNTY
The Honorable William H. Seals, Jr., Trial Judge
The Honorable Brian M. Gibbons, Post-Conviction Relief Judge

S.C. SUPREME COURT

Appellate Case No: 2017-001292

MICKEY MARKELL JOHNSON,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE THE RETURN TO PETITION FOR WRIT OF CERTIORARI
AND BRIEF OF RESPONDENT PURSUANT TO WHITE V. STATE**

Respondent (the State), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Return to the Petition for Writ of Certiorari and Brief of Respondent pursuant to White v. State are due to be served and filed today, June 15, 2018.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** extension in the above-referenced post-conviction relief appeal and asks for an additional thirty days to complete the return to the petition and brief in this case due to a significant workload. Undersigned counsel, in addition to her own caseload and

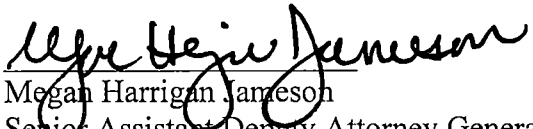
supervisory duties over the post-conviction relief unit of the Attorney General's Office, has also been managing the caseload of three vacant circuit assignments due to recent departures from the Attorney General's Office. Undersigned counsel appeared in circuit court in Charleston County this week and will appear in circuit court in Spartanburg County next week. Additionally, undersigned counsel recently filed several appellate pleadings, including returns to petition for a writ of certiorari in Manuel Jeter v. State, LaQuan Bryan v. State, and Jerry Lee Dickey v. State. This extension request is not intended for any delay, but is due to a significant workload.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the return to the petition for a writ of certiorari and brief are properly researched and prepared. The return to the petition for a writ of certiorari and brief in the above case has required significant research because the case involves significant issues on appeal. The undersigned is currently working on the return to the petition for a writ of certiorari and brief in this case and hopes to have it completed in a timely manner. Therefore, undersigned counsel request an extension of time within which to serve and file the Petition.

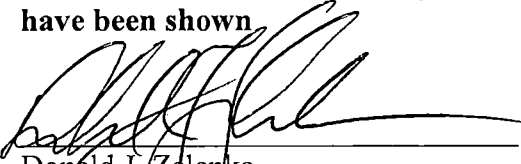
WHEREFORE, Respondent prays the Court extend the deadline for the service and filing of the Return to the Petition for Writ of Certiorari and Brief of Respondent Pursuant to White v. State in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

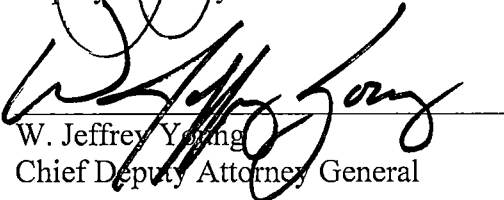
Respectfully submitted,


Megan Harrigan Jameson
Senior Assistant Deputy Attorney General
S.C. Bar No. 100108

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

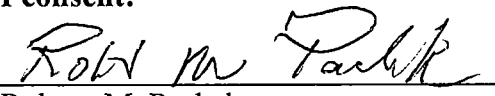
**We concur that extraordinary circumstances
have been shown**


Donald J. Zelenka
Deputy Attorney General


W. Jeffrey Young
Chief Deputy Attorney General

This 15th day of June, 2018.

I consent:


Robert. M. Pachak
Appellate Defender

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO SUMTER COUNTY
The Honorable William H. Seals, Jr., Trial Judge
The Honorable Brian M. Gibbons, Post-Conviction Relief Judge

Appellate Case No: 2017-001292

MICKEY MARKELL JOHNSON, PETITIONER,

v.

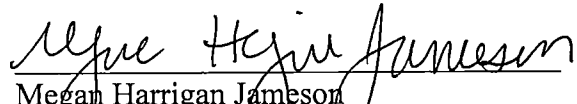
STATE OF SOUTH CAROLINA, RESPONDENT.

CERTIFICATE OF SERVICE

I, Megan Harrigan Jameson, hereby certify that I have served the Motion for Fourth Extension of Time within which to Serve and File the Return to Petition for Writ of Certiorari and Brief of Respondent Pursuant to White v. State, on Petitioner by depositing a copy of same in the United States Mail, postage prepaid addressed to:

Robert M. Pachak, Esquire
SC Commission of Indigent Defense
Post Office Box 11589
Columbia, South Carolina 29201

I further certify that all parties required by Rule to be served have been served.
This 15th day of June, 2018


Megan Harrigan Jameson
Senior Assistant Deputy Attorney General
S.C. Bar # 100108
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737
ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

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JUN 15 2018

June 15, 2018

S.C. SUPREME COURT

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

Re: Mickey Markell Johnson v. State of South Carolina
Appellate Case No. 2017-001292
Lower Court Case No. 2014-CP-43-1491

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion for Fourth Extension of Time within which to Serve and File the Return to Petition for Writ of Certiorari and Brief of Respondent Pursuant to White v. State. By copy of this letter we are serving opposing counsel today.

Sincerely,

Megan Harrigan Jameson
Senior Assistant Deputy Attorney General
SC Bar No. 100108

MHJ/cc
Enclosures

cc: Robert M. Pachak, Esquire (2 copies)