

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Colleton County
Diane Schafer Goodstein, Circuit Court Judge
APPELLATE CASE NO. 2018-000970

ANTWAN D. McMILLAN,

PETITIONER

vs.

THE STATE

RESPONDENT

**MOTION TO FILE RETURN TO PETITION FOR WRIT OF CERTIORARI OUT OF
TIME AND FOR A 30-DAY EXTENSION**

Respondent, State of South Carolina, through its undersigned counsel, hereby moves to file the return to Applicant's petition for writ of certiorari out of time and for a 30-day extension to file this document. In support of this Motion, Respondent submits the following:

1. The return to petition for writ of certiorari was initially due to be filed and served December 28, 2018. However, due to an administrative error, the date to file these documents was inadvertently overlooked.
2. The Respondent requests an additional 30 days to file these documents.
3. Counsel for Respondent has contacted Petitioner's Counsel, who has consented to this request for an additional thirty days.
3. The undersigned assures the Court completion of the return is a high priority, and he will work diligently to complete the return to petition for writ of certiorari.

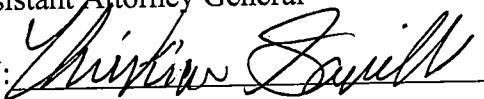
Based on the foregoing, Respondent respectfully requests this Court hold this matter in abeyance pending resolution of this Motion, and grant Respondent's request for a 30-day extension of time to file and serve the return to petition for writ of certiorari in this appeal.

Respectfully submitted,

ALAN WILSON
Attorney General

CHRISTIAN SAVILLE
Assistant Attorney General

BY:



Office of the Attorney General
PO Box 11549
Columbia, SC 29211
803-734-3739

January 4, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari from Colleton County
The Honorable Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2018-000970

ANTWAN MCMILLAN, #347617,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

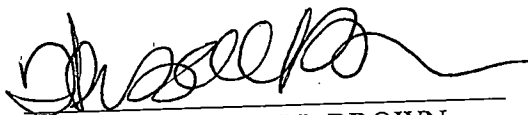
RESPONDENT,

CERTIFICATE OF SERVICE

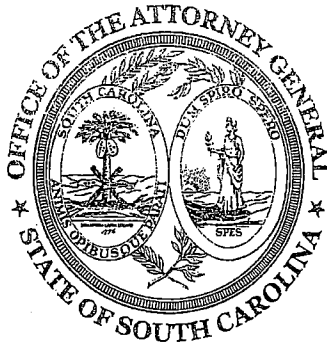
The undersigned hereby certifies that a true copy of the Motion to File Return to Petition for Writ of Certiorari out of Time and for a 30-Day Extension has been served upon applicant by mailing one copy in the United States mail, postage prepaid:

James A. Brown, Jr., Esquire
Law Offices of Jim Brown, P.A.
Post Office Box 592
Beaufort, South Carolina 29901

This 4th day of January, 2019



TAMIEKA RUSSELL-BROWN
LEGAL ASSISTANT



RECEIVED

JAN 04 2019

S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

January 4, 2019

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

Re: Antwan McMillan, #347617 v. State of South Carolina
Appellate Case No. 2018-000970
Lower Court Case No. 2015-CP-15-1210

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the **Motion to File Return to Petition for Writ of Certiorari out of Time and for a 30-Day Extension**. By copy of this letter we are serving applicant today.

Sincerely,

Christian Saville
Assistant Attorney General
SC Bar No. 103272

CS/trb
Enclosures

cc: James A. Brown, Jr., Esquire