

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Pickens County  
The Honorable Brian M. Gibbons, Circuit Court Judge

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MAY 06 2019

S.C. SUPREME COURT

THE STATE,

RESPONDENT,

V.

SUZANNA BROWN SIMPSON,

PETITIONER

Appellate Case No. 2019-000500

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MOTION TO HOLD THE DEADLINE FOR FILING RETURN  
IN ABEYANCE PENDING AMENDMENT  
OF PETITION FOR WRIT OF CERTIORARI

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Under Rule 240(a), SCACR, Counsel for Respondent the State of South Carolina respectfully moves this Court to hold in abeyance the time limit for filing the Return to Petition for Writ of Certiorari. The State's Return is due today, May 6, 2019.

Counsel for Respondent has consulted with Counsel for Petitioner, J. Falkner Wilkes, who has indicated that he intends to file a motion to amend the Petition and file Volume II of the Appendix due to an erroneous omission of one of the issues for which Petitioner sought certiorari. Respondent believes this motion may have been submitted for filing on or about May 1, 2019, but may not have reached the Court as of the time of this motion's filing. Additionally, Respondent respectfully requests this Court reset Respondent's deadline for filing its Return upon receipt of the amended Petition.

WHEREFORE, Respondent respectfully requests that this Court hold the time for filing

the Return to Petition for Writ of Certiorari in abeyance until such time as the amended petition and Volume II of the Appendix are filed.

Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

SUSANNAH R. COLE  
Assistant Attorney General

W. WALTER WILKINS, III  
Solicitor, Thirteenth Circuit  
305 East North Street  
Greenville, SC 29601  
(864) 467-8282

BY:



SUSANNAH R. COLE  
SC Bar No. 68383

South Carolina Office of Attorney General  
P.O. Box 11549  
Columbia, SC 29211-1549  
(803) 734-0265

ATTORNEY(S) FOR RESPONDENT

May 6, 2019  
Columbia, South Carolina

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CERTIFICATE OF SERVICE

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I, Susannah Cole, counsel for the Respondent, certify that I have served the within *Motion to Hold the Deadline for Filing Return in Abeyance Pending Amendment of Petition for Writ of Certiorari* on Petitioner in compliance with notification by the South Carolina Court of Appeals. I further certify I have this day deposited two copies of the same in the United States mail, first class, postage prepaid, addressed to his attorney of record:

J. Falkner Wilkes, Esquire  
114 Whitsett Street  
Greenville, SC 29601

This 6<sup>th</sup> day of May, 2019.



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Susannah R. Cole  
Assistant Attorney General  
SC Bar No. 68383