

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

RECEIVED

MAY 17 2019

S.C. SUPREME COURT

Appeal from Pickens County  
Honorable Robin B. Stilwell, Circuit Court Judge  
Appellate Case No. 2019-000475

THE STATE,

RESPONDENT,

v.

MICHAEL LEVANT MEALOR,

PETITIONER.

**MOTION TO FILE RESPONDENT'S RETURN TO PETITION  
FOR WRIT OF CERTIORARI OUT OF TIME AND FOR  
A THIRTY DAY EXTENSION TO FILE THE RETURN**

Respondent State of South Carolina, by and through the undersigned counsel, respectfully submits the following:

1. The Petition for Writ of Certiorari and Appendix were filed with the South Carolina Supreme Court on April 15, 2019, and Respondent's Return to the Petition was due to be served and filed on May 15, 2019.
2. The filing date for the Return was inadvertently mis-calendared, and as a result, the Return was not filed and served on May 15, 2019. Counsel for Respondent respectfully requests to file the Return out of time, and an extension of thirty days to serve and file the Return. When the calendaring issue was discovered on the evening of May 16, 2019, the

undersigned immediately contacted opposing counsel by voice mail and email to advise him of the issue.

3. Counsel is on medically required work restriction, which limits the hours she is allowed to work due to a work-related injury. Counsel is working on the Return, and completing it is a high priority.

4. This is Respondent's first request for an extension in this matter, and it is not intended for the purpose of delay. Counsel does not believe this request will result in any prejudice to Petitioner if this motion be granted.

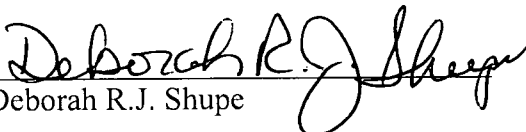
5. As noted above, the undersigned consulted with counsel for Petitioner, and is authorized to advise the Court that counsel consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that the Court hold this matter in abeyance pending resolution of this motion, and grant Respondent's request to file the Return to the Petition for Writ for Certiorari, and for an additional thirty days to file and serve the Return.

Respectfully submitted,

ALAN WILSON  
Attorney General

DEBORAH R.J. SHUPE  
Senior Assistant Deputy Attorney General

By:   
Deborah R.J. Shupe

Office of the Attorney General  
Post Office 11549  
Columbia, SC 29211  
(803) 734-3727

May 17, 2019

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Appeal from Pickens County  
Honorable Robin B. Stilwell, Circuit Court Judge  
Appellate Case No. 2019-000475

RECEIVED

MAY 17 2019

S.C. SUPREME COURT

THE STATE,

RESPONDENT,

v.

MICHAEL LEVANT MEALOR,

PETITIONER.

---

**PROOF OF SERVICE**

---

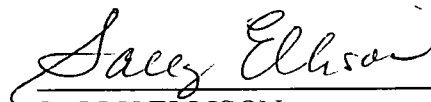
I, Sally Ellison, certify I have served the Motion to File Respondent's Return to Petition for Writ of Certiorari Out of Time and for a Thirty Day Extension to File the Return, by depositing copies in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Esquire (one copy)  
Chief Appellate Defender  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

Ryan Christopher Andrews, Esquire (one copy)  
222 W. Coleman Boulevard  
Mt. Pleasant, SC 29464

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

This 17<sup>th</sup> day of May, 2019.



---

SALLY ELLISON  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211