

STATE OF SOUTH CAROLINA
In The Supreme Court

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MAY 29 2019

CERTIORARI TO FLORENCE COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable Michael G. Nettles, Circuit Court Judge

Appellate Case No. 2018-001339

Saquawn Lacy,

Petitioner,

v.

State of South Carolina,

Respondent.

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

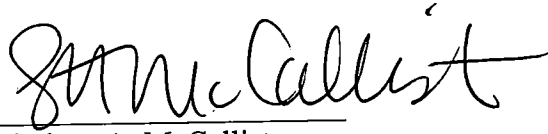
Respondent, the State, moves this Court for an additional thirty-day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including **Friday, June 28, 2019**. This is Respondent's fourth request for an extension of time in which to file the return. In support of 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 prepared for and attended a scheduling conference before the Honorable Jocelyn Newman regarding all current pending PCR actions in the Fifth Circuit on May 7, 2018.

4. Counsel was out of the office for attendance at a conference in Washington, D.C. on May 8-10, 2019.
5. Counsel filed a Return to Petition for Writ of Certiorari in Tarus Henry v. State (2018-000847) on April 29, 2019; Chazmonte Brown v. State (2018-000849) on May 17, 2019, and Tyrone Davis v. State (2018-000854) on May 24, 2019.
6. Counsel appeared and represented the State at out-of-term hearings on various PCR matters on May 20, 2019, and May 23, 2019.
7. Over the past month, Counsel has drafted and submitted substantive proposed orders in the following cases: David McElveen v. State (2016-CP-40-4676), Louis Gainey v. State (2015-CP-40-3215), David G. Johnson v. State (2016-CP-21-2545), DeMichael Razor v. State (2017-CP-40-03776), Shiquan Cwiklinski v. State (2017-CP-40-1585), Gary Wayne Thomas v. State (2017-CP-40-0046), and Gerry Brent James v. State (2017-CP-40-3819).

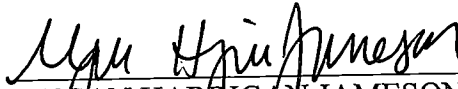
This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The undersigned is currently working on the Return and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the Return. THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth and final thirty-day extension until Friday, June 28, 2019**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Counsel for Petitioner has consented to the extension request via email (attached).

Respectfully submitted,

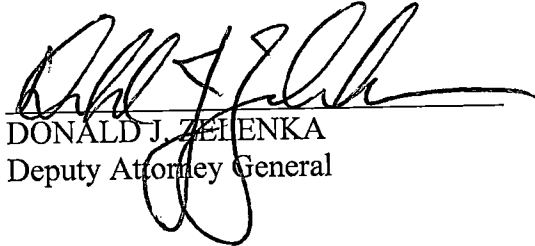


Lindsey A. McCallister
Assistant Attorney General
S.C. Bar # 79054
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737
Attorney for Respondent

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



MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General



DONALD J. ZEIENKA
Deputy Attorney General

This 29th day of May, 2019.

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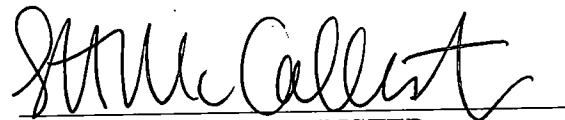
CERTIFICATE OF SERVICE

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 U.S. mail, addressed to:

**Lauren C. Hobbis, Esquire
William G. Yarborough, III, Attorney at Law, LLC
522 North Church Street
Greenville, South Carolina 29601**

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

This 29th day of May, 2019.



LINDSEY A. MCCALLISTER
Assistant Attorney General
S.C. Bar # 79054
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
ATTORNEY FOR RESPONDENT

Lindsey McCallister

From: Lauren h <laurenwgylaw@gmail.com>
Sent: Wednesday, May 29, 2019 12:34 PM
To: Lindsey McCallister
Subject: Re: Lacy - extension

Ms. McCallister,

I have no objection to the extension request and you may note my consent in your motion.

On Tue, May 28, 2019 at 1:18 PM Lindsey McCallister <LMcCallister@scag.gov> wrote:

Hi Lauren,

Will you consent to a final extension in the Saquawn Lacy PCR appeal tomorrow? Thanks!

Lindsey



Lindsey A. McCallister

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lmccallister@scag.gov



ALAN WILSON
ATTORNEY GENERAL

May 29, 2019

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

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MAY 29 2019
S.C. SUPREME COURT

Re: Saguwan Lacy v. State of South Carolina
Appellate Case No. 2018-001339
Lower Court Case No. 2015-CP-21-00997

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion for Fourth Extension to File Return to Petition for Writ of Certiorari. By copy of this letter we are serving opposing counsel today.

Sincerely,

Lindsey A. McCallister
Assistant Attorney General
SC Bar No. 79054

LAM/kk
Enclosures

cc: Lauren C. Hobbis, Esquire (2 copies)