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AUG 22 2019

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
In the Supreme Court

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Appeal From Richland County  
The Honorable Jocelyn J. Newman, Circuit Court Judge  
2014-CP-40-05657

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Robin Reese,

Respondent,

vs.

State of South Carolina,

Petitioner.

Appellate Case No: 2019-000141

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**PETITION TO RELAX RULE 243, SCACR AND  
MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE THE RETURN TO PETITION  
FOR WRIT OF CERTIORARI**

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Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

**I.**

The Return to the Petition for Writ of Certiorari was due to be served and filed on the August 16, 2019. However, counsel overlooked this date due to a calendaring error.

**II.**

As a result of the calendaring error, the State respectfully asks this Court to relax the requirements of Rule 243(g), SCACR, and permit the State to file a motion for a third extension of

time within which to serve and file the Return and Petition for Writ of Certiorari. See Rule 263(b), SCACR (“The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”). The undersigned counsel apologizes for any inconvenience this request has caused to the Court and to the Petitioner and does not believe this request will result in any prejudice to the Petitioner should it be granted.

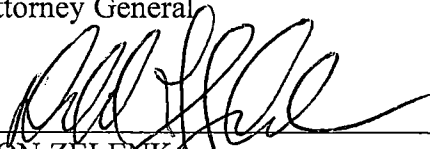
### III.

Additionally, 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 third extension in the above-referenced criminal appeal. Due to work required in other cases pending before this Court and the South Carolina Court of Appeals, I have been unable to complete this return. This extension request is not intended for purposes of delay, but rather to ensure the return is properly researched and prepared. The undersigned is currently working on the return in this case and hopes to have it completed in a timely manner. I would therefore ask this Court to accept the State’s motion for an extension of time out of time and to grant an extension of time within which to serve and file the Return to the Petition for Writ of Certiorari.

**WHEREFORE**, Respondent prays that the Court relax the requirements of Rule 243(g), SCACR; accept the filing of the Motion for Third Extension of Time Within Which to Serve and Return to the Petition for Writ of Certiorari; extend the deadline for the service and filing of the Return to Petition for Writ of Certiorari in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

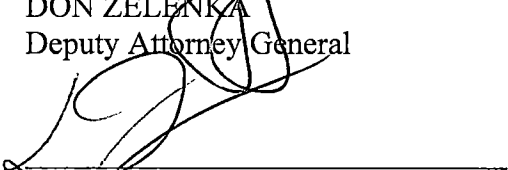
Respectfully submitted,

ALAN WILSON  
Attorney General



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DON ZELENKA  
Deputy Attorney General



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DAVID A. SPENCER  
Senior Assistant Attorney General  
S. C. Bar No: 68571

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Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

August 22, 2019

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In The Supreme Court

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S.C. SUPREME COURT

CERTIORARI TO RICHARD COUNTY  
Court of Common Pleas

The Honorable Jocelyn J. Newman, Circuit Court Judge

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Appellate Case No.: 2019-000141

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ROBIN REESE,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that a true copy of the **Petition to Relax and Motion for Third Extension of Time Within Which to Serve and File The Return to Petition for Writ of Certiorari** has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

**Taylor Davis Gilliam, Esquire  
S.C. Commission on Indigent Defense  
PO Box 11589  
Columbia, SC 29211-1589**

This 22 day of August, 2019.



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Kasey Knox  
Legal Assistant for Petitioner



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S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

August 22, 2019

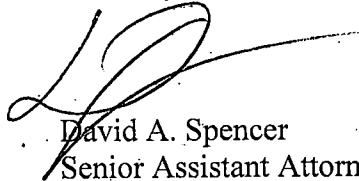
Honorable Daniel E. Shearouse  
Clerk of the Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

**RE: Robin Reese v. State of South Carolina  
Appellate Case No.: 2019-000141**

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Petition to Relax and Motion for Third Extension of Time Within Which to Serve and File The Return to Petition for Writ of Certiorari, in the above matter for filing in your office. By copy of this letter I am serving opposing counsel with this motion today.

Sincerely,



David A. Spencer  
Senior Assistant Attorney General

DAS/kk  
Enclosures

cc: Taylor D. Gilliam, Esquire (w/enclosure)