

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO RICHLAND COUNTY

The Honorable D. Craig Brown, Circuit Court Judge

Appellate Case No.: 2018-001994

Edward Maurice Dunn, Jr.,

Petitioner,

v.

State of South Carolina,

Respondent.

**MOTION TO RELAX RULE 243(g), SCACR, AND
REQUEST FOR EXTENSION OUT OF TIME**

COMES NOW, Respondent, by and through the undersigned counsel, making its Motion to Relax Rule 243(g), SCACR, and Request for Extension Out of Time, and would show unto this Court:

I. REQUEST FOR EXTENSION OUT OF TIME

Respondent's Return to Petition for Writ of Certiorari in the above-captioned post-conviction relief appeal was due to be filed and served on August 19, 2019. However, due to a clerical error, the due date for this Return was inadvertently left off the undersigned's calendar. Respondent intended to request a second extension of thirty days to file this Return based on a heavy workload. Due to this clerical error, Respondent neglected to file an extension with this Court on August 19, 2019.

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Accordingly, Respondent requests this Court relax the rules in order to file, out of time, a request for a thirty-day extension in which to prepare and submit its Return to 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 Rules 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”). This is Respondent’s second extension request in this case.

The undersigned counsel apologizes for any inconvenience this request has caused the Court and Petitioner. However, Respondent does not believe this request will result in any prejudice to Petitioner should it be granted.

II. PRAYER FOR RELIEF

WHEREFORE, Respondent respectfully asks this Court to relax the requirements of Rule 243(g), SCACR, and permit Respondent to file a request for a thirty-day extension out of time to file the Return to the Petition for Writ of Certiorari.

Respectfully submitted,

ALAN WILSON
Attorney General

SAMUEL L. KEY
Assistant Attorney General
S.C. Bar #103206

P.O. Box 11549
Columbia, S.C. 29211
(803) 734-3737

By: 
ATTORNEYS FOR RESPONDENT

August 26, 2019

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO RICHLAND COUNTY

The Honorable D. Craig Brown, Circuit Court Judge

Appellate Case No.: 2018-001994

EDWARD DUNN,

Petitioner,

v.

STATE OF SOUTH CAROLINA,


Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the **Motion to Relax Rule 243(g), SCACR, and Request for Extension out of Time** has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

**Victor R. Seeger, Esquire
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29211-1589**

This 26th day of August, 2019.



Jennifer A. Jennison
Legal Assistant for Petitioner



ALAN WILSON
ATTORNEY GENERAL

August 26, 2019

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S.C. SUPREME COURT

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

**RE: Edward Dunn v. State of South Carolina
Appellate Case No.: 2018-001994**

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Motion to Relax Rule 243(g), SCACR, and Request for Extension out of Time, in the above matter for filing in your office. By copy of this letter I am serving opposing counsel with this motion today.

Sincerely,

Samuel L. Key
Assistant Attorney General

SLK/jaj
Enclosures

cc: Victor R. Seeger, Esquire (w/enclosure)