

STATE OF SOUTH CAROLINA  
In The Supreme Court

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NOV 04 2019  
S.C. SUPREME COURT

On Writ of Certiorari to Greenwood County  
Brian M. Gibbons, Post-Conviction Relief Judge  
Donald B. Hocker, Trial Court Judge

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Appellate Case No.: 2019-001220

Robert A. Wright,

Respondent,

v.

State of South Carolina,

Petitioner.

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**MOTION TO RELAX RULE 243(d), SCACR, AND  
FILE PETITIONER'S PETITION FOR WRIT OF CERTIORARI AND  
APPENDIX OUT OF TIME**

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COMES NOW, Petitioner, above named, by and through the undersigned counsel, making its Petition to Relax Rule 243(d) and Request for Extension, and would show unto this Court:

I.

Petitioners's Petition for Writ of Certiorari and Appendix in the above-captioned matter was due to be filed and served on October 30, 2019. However, the extension request for this matter was never filed with the Court. Petitioner therefore requests that the rules be relaxed in order to file a thirty day extension in which to prepare and submit its Petition for Writ of

Certiorari and Appendix. 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.”). This is Petitioner’s third extension request in this case.

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

II.

WHEREFORE, Petitioner respectfully asks that this Court relax the requirements of Rule 243(d), SCACR; permit Petitioner to file a request for a thirty-day extension out of time; and for such other and further relief as the Court may deem just and proper. Opposing counsel has consented to this third extension request.

Respectfully submitted,

ALAN WILSON  
Attorney General

Janell H. Gregory  
Assistant Attorney General  
S.C. Bar # 103176

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

By:   
ATTORNEYS FOR PETITIONER

November 4, 2019

STATE OF SOUTH CAROLINA  
In The Supreme Court

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On Writ of Certiorari to Greenwood County  
Brian M. Gibbons, Post-Conviction Relief Judge  
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ROBERT A. WRIGHT,

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 **Motion to Relax Rule 243**, **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:

**J. Falkner Wilkes, Esquire**  
114 Whitsett St.  
Greenville, SC 29601

This 4<sup>th</sup> day of November, 2019.

  
\_\_\_\_\_  
Jennifer A. Jennison  
Administrative Coordinator for Petitioner

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ALAN WILSON  
ATTORNEY GENERAL

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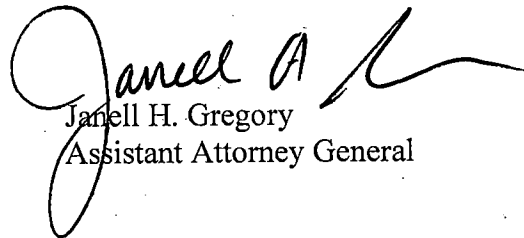
Honorable Daniel E. Shearouse  
Clerk of the Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

RE: **Robert A. Wright v. State of South Carolina**  
**Appellate Case No.: 2019-001220**

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Motion to Relax Rule 243(d), 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,

  
Janell H. Gregory  
Assistant Attorney General

JHG/jaj  
Enclosures

cc: J. Falkner Wilkes, Esquire (w/enclosure)