

STATE OF SOUTH CAROLINA
In The Supreme Court

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NOV 12 2019

S.C. SUPREME COURT

CERTIORARI TO GREENVILLE COUNTY
Court of Common Pleas

The Honorable Letitia H. Verdin, Circuit Court Judge

Appellate Case No. 2018-001958

KARACUS K. FREEMAN,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH TO SERVE AND
FILE RETURN TO PETITION FOR WRIT OF CERTIORARI**

Respondent (“the State”) through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on November 12, 2019.

II.

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 **fourth** and **final** extension in the above referenced post-conviction relief appeal and asks for an additional thirty days to complete the brief in this case. In support of the

request, undersigned counsel would respectfully show the Court:

1. In the past few weeks, Counsel has submitted various pleadings, motions, and other papers in Circuit Court, including a proposed order of dismissal in Arflin v. State (2017-CP-04-02103), a proposed order of dismissal in Mills v. State (2018-CP-32-01575), a return to a motion to alter or amend the judgment in Hindman v. State (2018-CP-23-5668), and a proposed order of dismissal in Mosley v. State (2018-CP-39-0318);
2. Counsel served and filed with this Court a Return to Petition for Writ of Certiorari in James D. Lloyd v. State (2018-002051) on October 7, 2019;
3. Counsel represented the State in oral argument in Frederick Robert Chappell v. State (2016-000283) before the Court of Appeals on November 5, 2019, for the undersigned's first oral argument, and filed a Motion to File a Second Supplemental Appendix in the same on November 1, 2019;
4. Counsel appeared on behalf of the State at a week-long PCR term of court in the Thirteenth Circuit that began on October 21, 2019, and will be responsible for submitting multiple proposed orders resulting therefrom during the week of November 11, 2019;
5. Counsel is responsible for drafting the Return to Petition for Writ of Certiorari in Walter Terran Gaines v. State (2018-001988) and the Return to Petition for Writ of Certiorari in Richard E. Tedford v. State (2018-001957), both of which are due to be served and filed on November 15, 2019.
6. Counsel is currently preparing for a term of PCR hearings in the Thirteenth Circuit that will begin on December 16, 2019; and
7. Counsel's immediate supervisor has been on leave for a significant period of time.

This extension request is not intended for purpose of delay, but rather to ensure that Return to Petition for Writ of Certiorari is thoroughly researched and prepared. To ensure that an additional extension will not be necessary, the undersigned intends to work overtime next week.

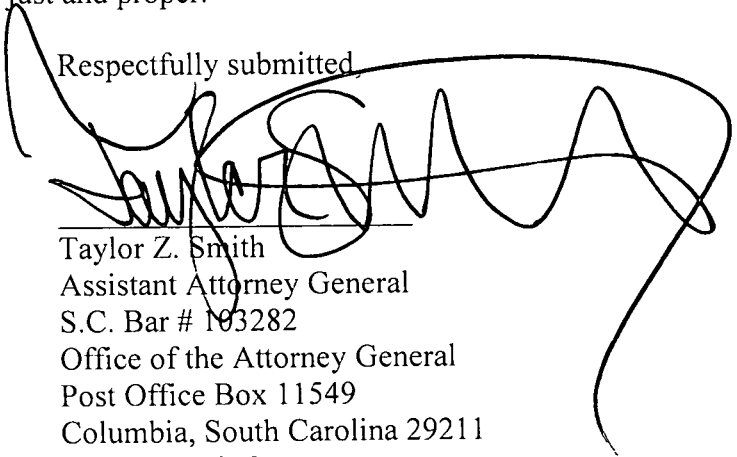
III.

Prior to seeking this extension request, the undersigned counsel consulted with counsel for Petitioner, and Petitioner's counsel graciously indicated that he does not object to the State's extension request.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to Petition for Writ of Certiorari in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on this motion; and grant such other and further relief as the Court may deem just and proper.

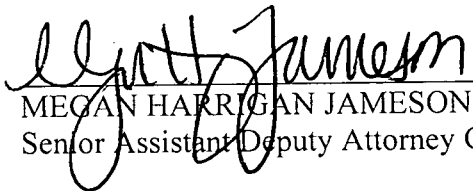
November 8, 2019

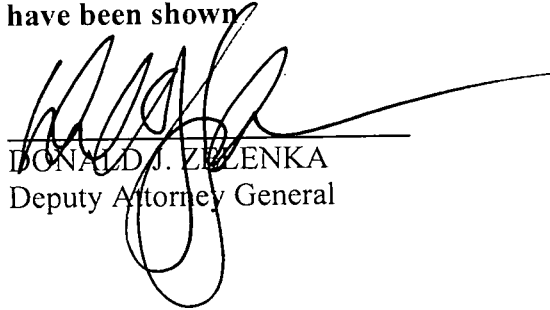
Respectfully submitted,



Taylor Z. Smith
Assistant Attorney General
S.C. Bar # 103282
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Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3970
Attorney for Respondent

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


MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General


DONALD D. ZELENSKA
Deputy Attorney General

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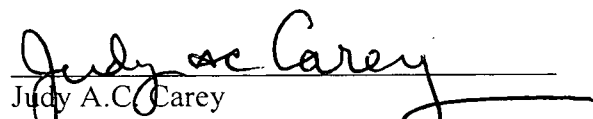
CERTIFICATE OF SERVICE

I, Judy A.C. Carey, hereby certify that I have served the Motion for Fourth Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari on Appellant by depositing a copy of same in the mail, addressed to:

**Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
1330 Lady Street; Suite 401
Columbia, South Carolina 29211**

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

This 12th day of November, 2018.



Judy A.C. Carey
Legal Assistant for Respondent
Office of the Attorney General
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Columbia, South Carolina 29211
(803) 734-3737