

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

NOV 22 2019

Certiorari to Lexington County
The Honorable J. Derham Cole, Circuit Court Judge S.C. SUPREME COURT

Appellate Case No. 2018-001854

Robert A. Baker,

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 December 23, 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 on Friday, November 22, 2019. 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 assumed representation for Respondent in this case on September 5, 2019, at which time an extensions had already been granted to the previous attorney;
4. Since Counsel's last request for an extension, Counsel prepared for and represented Respondent in post-conviction relief hearings in Greenville County on October 21-25,

2019;


5. Over the past month, Counsel has drafted a substantive proposed order in the case of Tony Fulmer v. State (2018-CP-39-1297) and is in the process of drafting a substantive proposed order in the case of Carl Stanley Aiken v. State (2019-CP-23-0484);
6. Counsel is diligently drafting the Return to Petition for Writ of Certiorari in Torrence v. State, Ap. Case No. 2019-001060;
7. Counsel is simultaneously preparing for the upcoming term of Post-Conviction Relief in the 13th Circuit, to be held December 16-20, 2019;
8. Greater specificity as to the undersigned's workload can be provided upon request.

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, the undersigned respectfully requests a **fourth and final thirty-day extension** until **Monday, December 23, 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 consents to this request as indicated by his signature below.

[Signature page to follow]

Respectfully submitted,



Lillian L. Meadows

Assistant Attorney General

S.C. Bar # 103665

Office of the Attorney General

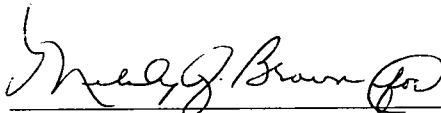
Post Office Box 11549

Columbia, South Carolina 29211

(803) 734-0964

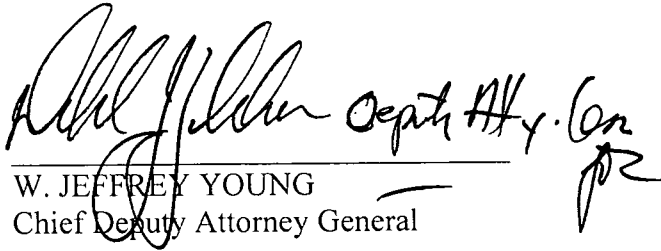
Attorney for Respondent

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



MEGAN HARRIGAN JAMESON

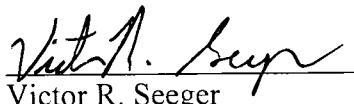
Senior Assistant Deputy Attorney General



W. JEFFREY YOUNG

Chief Deputy Attorney General

I consent:



Victor R. Seeger

Appellate Defender

South Carolina Commission on Indigent Defense

Division of Appellate Defense

PO Box 11589

Columbia, South Carolina 29211

(803) 734-1330

Attorney for Petitioner

This 22nd day of November, 2019.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

—————
Certiorari to Lexington County
The Honorable J. Derham Cole, Circuit Court Judge
—————

Appellate Case No. 2018-001854

RECEIVED

NOV 22 2019

S.C. SUPREME COURT

Robert A. Baker

Petitioner,

v.

State of South Carolina,

Respondent.

—————
CERTIFICATE OF SERVICE

I, Sara E. Gunton, 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 interagency mail, addressed to:

Victor R. Seeger, Esq.
SC Commission on Indigent Defense – Appellate Division
PO Box 11589
Columbia, South Carolina 29211

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

This 22nd day of November, 2019.



—————
Lillian L. Meadows
Assistant Attorney General
S.C. Bar # 103665
Office of the Attorney General
PO 11549
Columbia, South Carolina 29211
(803) 734-0964
Attorney for Respondent