

RECEIVED

DEC 02 2019

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Honorable G. Thomas Cooper, Circuit Judge

Case No.: 2019-000380

Alan L Burns 143218.....PETITIONER

V.

State of South Carolina.....RESPONDENT

MOTION TO REQUEST OUT OF TIME PERMISSION FOR EXTENSION OF TIME
IN WHICH TO FILE PETITION FOR WRIT OF CERTIORARI AND APPENDIX

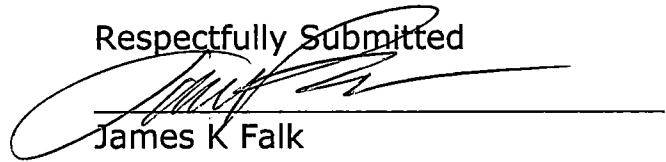
PETITIONER, Alan L Burns, moves out of time, for a thirty (30) day extension of time in which to file its Petition for Writ of Certiorari and Appendix. By letter dated October 23, 2019, undersigned counsel was advised that the Petition for Writ of Certiorari and Appendix was due within thirty (30) days from the date of the letter. As a result of inadvertent neglect, undersigned mistakenly noted that he had until November 25, 2019 in which to file pleadings.

Undersigned has had insufficient time in which to complete the pleadings now due. Undersigned had to prepare to represent multiple PCR clients in the 3rd Circuit during the week of October 28th; in the 14th Circuit during the week of November 4th; and, in the 15th Circuit during the week of November 15th. Additionally, undersigned represented the petitioner in a three-day jury trial of a sexually violent predator commitment action during the week of

November 18th (*In the Matter of the Care and Treatment of Ronald Gregg*, 2018-CP-10-3472).

Undersigned sought and obtained the consent of Respondent's counsel Megan Jameson, Esquire to this requested extension. A copy of the email correspondence is attached hereto.

Respectfully Submitted



James K Falk
Falk Law Firm
PO Box 1058
Charleston, SC 29402

November 25, 2019

Megan Jameson, Esq.
Office of S.C. Attorney General
PO Box 11549
Columbia, SC 29211-1549

Alan L Burns 143218
Broad River Correctional Inst.
4460 Broad River Rd
Columbia, SC 29210

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a

series of events that led to the formation of the United States of America.

1917. The first of these was the "The Great War" which was a



James Falk <jfalklaw@gmail.com>

Alan Burns 2019-000380

3 messages

James Falk <jfalklaw@gmail.com>
To: Megan Jameson <mjameson@scag.gov>

Mon, Nov 25, 2019 at 12:42 PM

Ms Jameson

The petition for cert was due on November 22. I propose to file a Motion Out of Time requesting a continuance to file my petition and record. Do I have your consent to seek this continuance?

Thank you
James Falk
Falk Law Office
38 Broad Street, 3rd Floor
PO Box 1058
Charleston, SC 29402
(843) 606 6007
(843) 972 9005 Fax
WWW.FALKLAWFIRM.COM

Megan Jameson <MJameson@scag.gov>
To: James Falk <jfalklaw@gmail.com>

Mon, Nov 25, 2019 at 1:33 PM

Mr. Falk,

I consent to the motion to file your Petition for a Writ of Certiorari out of time and to the motion for an extension for file said Petition.

Thank you,

Megan Harrigan Jameson
Senior Assistant Deputy Attorney General
Post-Conviction Relief Division
S.C. Attorney General's Office

[Quoted text hidden]

James Falk <jfalklaw@gmail.com>
To: Megan Jameson <MJameson@scag.gov>

Mon, Nov 25, 2019 at 7:03 PM

Thank you.
James Falk
Falk Law Office
38 Broad Street, 3rd Floor
PO Box 1058
Charleston, SC 29402
(843) 606 6007
(843) 972 9005 Fax

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED
DEC 02 2019
S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Honorable G. Thomas Cooper, Circuit Judge

Appellate Case No.: 2019-000380

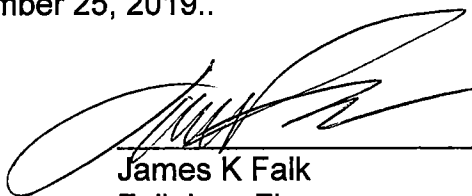
Alan L Burns 143218.....PETITIONER

V.

State of South Carolina.....RESPONDENT

CERTIFICATE OF SERVICE

I, James Falk, certify that I have today served the within Motion to Request Out of Time Permission for Extension of Time in which to File Petition for Writ of Certiorari and Appendix upon the Respondent by depositing a copy of it in the U.S. Mail, postage prepaid, addressed to its attorney of record, Megan Jameson, Esquire Office of the S.C. Attorney General, PO Box 11549, Columbia, SC 29211-1549 and the Petitioner at 4460 Broad River Rd, Columbia, SC 29210. I further certify that all parties required by Rule to be served have been served this November 25, 2019..



James K Falk
Falk Law Firm
PO Box 1058
Charleston, SC 29402

FALK LAW FIRM, LLC.

James K. Falk

(843) 606-6007

(843) 972-9005 Fax

Admitted to practice: KY(1984) S.C. (2010) jfalklaw@gmail.com

November 25, 2019

Clerk of Court
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RECEIVED
DEC 02 2019
S.C. SUPREME COURT

Re: Alan L Burns 143218, Appellate Case No 2019-000380

Dear Clerk Shearouse:

Please find the enclosed original and seven (7) copies of a Motion to Request Out of Time Permission for Extension of Time in which to File Writ of Certiorari and Appendix, and accompanying Certificate of Service. Please return a clocked copy of the Motion and Certificate of Service in the enclosed SASE.

Should you have any additional questions please do not hesitate to contact my office.

With best regards, I am,



James K Falk

Thank you for your assistance.

Cc:

Megan Jameson, Esq

Alan Burns 143218