

STATE OF SOUTH CAROLINA
In The Supreme Court

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DEC 09 2019
S.C. SUPREME COURT

CERTIORARI TO RICHLAND COUNTY

The Honorable L. Casey Manning, Circuit Court Judge

Appellate Case No.: 2018-001333

Corey Edmond,

Petitioner,

v.

State of South Carolina,

Respondent.

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

Respondent, by and through undersigned counsel, moves to relax Rule 243(g), SCACR, and requests an extension out of time, would show this Court:

I. REQUEST FOR EXTENSION OUT OF TIME

Respondent's return to petition for a writ of certiorari in the above-captioned post-conviction relief appeal was due to be filed and served on December 2, 2019. However, due to a clerical error, the due date for this return was inadvertently left off the undersigned's calendar. Additionally, undersigned counsel was out of town at a training conference when the return was due. Respondent intended to request a second thirty day extension to file this return based on a

heavy workload. Due to this clerical error and undersigned counsel's absence from the office, Respondent neglected to file an extension with this Court on December 2, 2019.

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 a 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. Counsel for Petitioner has graciously consented to this motion.

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 a writ of certiorari.

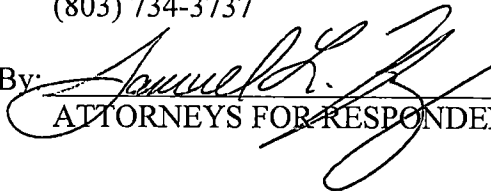
Respectfully submitted,

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

December 9, 2019

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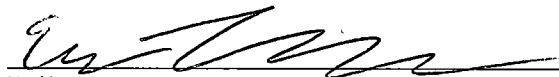
Respondent.

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:

**Mr. Tommy Arthur Thomas
PO Box 88
Irmo, SC 29063**

This 9th day of December, 2019.



Erik Marcusson
Legal Assistant for Petitioner



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S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

December 9, 2019

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

RE: Corey Edmond v. State of South Carolina
Appellate Case No.: 2018-001333

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,

Samuel L. Key
Assistant Attorney General

SK/em
Enclosures

cc: Tommy A. Thomas, Esquire (w/enclosure)