



LAW OFFICE OF  
**JEREMY A. THOMPSON**  
LLC

December 17, 2019

**RECEIVED**

DEC 19 2019

S.C. SUPREME COURT

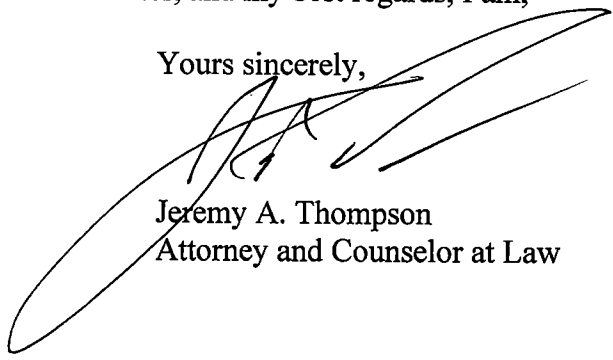
The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211-1330

RE: Cesar Mendez-Martinez, #373834 v. State of South Carolina; 2019-001081

Dear Mr. Shearouse:

Enclosed please find the original and one copy of my motion for extension of time in the above-captioned matter. I would appreciate your filing the original motion, clocking the copy, and returning the remaining copy to me in the enclosed self-addressed, stamped envelope. If I can be of any further assistance to the Court in this matter, please do not hesitate to contact me. With my thanks for the Court's assistance in this matter, and my best regards, I am,

Yours sincerely,



Jeremy A. Thompson  
Attorney and Counselor at Law

JAT/  
Enclosures

cc: Johnny James, Assistant Attorney General (w/ enclosure)  
Cesar Mendez-Martinez, #373834 (w/ enclosure)

**Mailing Address:**

P.O. Box 1834, Irmo, SC 29063

**Physical Address:**

1201 Main Street, Suite 1980, Columbia, SC 29201

STATE OF SOUTH CAROLINA  
In the Supreme Court

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APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas  
Thomas A. Russo, Circuit Court Judge

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S.C. SUPREME COURT

Appellate Case No. 2019-001081  
Lower Court Case No. 2018-CP-42-1406

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CESAR MENDEZ-MARTINEZ, #373834,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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**PETITIONER'S MOTION FOR EXTENSION OF TIME**

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**THIS MATTER** comes before the Court by way of an appeal from a Post-Conviction Relief Order. The Petition for a Writ of Certiorari and Appendix are due for filing on December 18, 2019. The Petitioner is requesting a fourth thirty-day extension of time in which to file these documents due to a change in undersigned counsel's employment status. On December 16, 2019, undersigned counsel was offered, and he accepted, a position in the Appellate Division of the Federal Public Defender's Office. Undersigned counsel plans to begin his employment in early February 2020. Consequently, undersigned counsel will need to move to be relieved as counsel in

this case in the near future as undersigned counsel cannot represent clients in a private capacity when he is employed with the Federal Public Defender's Office.

Undersigned counsel met with the Petitioner on today's date to discuss his change in employment and Petitioner's options moving forward with his appeal. The Petitioner intends to seek appointed counsel through the South Carolina Office of Appellate Defense. Undersigned counsel provided the Petitioner with an affidavit of indigency during this meeting and undersigned counsel expects to receive the completed affidavit soon. Assuming that this motion is granted, undersigned counsel will provide the completed affidavit to Appellate Defense upon receipt and will take the appropriate steps to request removal as counsel for the Petitioner in the event that Appellate Defense accepts representation of the Petitioner.

Undersigned counsel has consulted with opposing counsel regarding this request, and opposing counsel consents to the extension.<sup>1</sup>

Respectfully submitted,



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**JEREMY A. THOMPSON**  
Attorney and Counselor at Law

Law Office of Jeremy A. Thompson, LLC  
P.O. Box 12891  
Columbia, SC 29211  
803-779-2555  
803-779-2556 FAX  
[jeremyatlaw@yahoo.com](mailto:jeremyatlaw@yahoo.com)

**ATTORNEY FOR PETITIONER.**

This 17<sup>th</sup> day of December, 2019.

<sup>1</sup> Inasmuch as counsel for the Petitioner is a sole practitioner, he has not obtained any additional signatures to this motion. See In re Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings, S.C. Sup. Ct. Order filed March 18, 2009. Undersigned counsel did obtain opposing counsel's consent via email, which is attached to this motion.

**Subject:** RE: Extension request for Cesar Mendez-Martinez  
**Date:** Tuesday, December 17, 2019 at 3:28:00 PM Eastern Standard Time  
**From:** Johnny James  
**To:** Jeremy Thompson

State consents to the requested extension. Congratulations on the new position!

Kind regards,

Johnny Ellis James Jr.  
Assistant Attorney General  
Post-Conviction Relief Division  
4<sup>th</sup>, 7<sup>th</sup>, & 15<sup>th</sup> Judicial Circuits  
P: 803-734-3737

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S.C. SUPREME COURT

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**From:** Jeremy Thompson <jeremyatlaw@yahoo.com>  
**Sent:** Tuesday, December 17, 2019 3:20 PM  
**To:** Johnny James <JJJames@scag.gov>  
**Subject:** Extension request for Cesar Mendez-Martinez

Johnny,

As we discussed earlier, I am requesting your consent for a fourth extension to file the certiorari petition and appendix for Cesar Mendez-Martinez. I have been offered a position with the Federal Public Defender's Office which will begin in February 2020. I met with Mr. Mendez-Martinez this afternoon and he wishes to have Appellate Defense represent him and so he will be preparing an affidavit of indigency. Since I will have to move to be relieved as counsel in the future anyway, I'm requesting a fourth extension of time to give my client time to get the affidavit of indigency to me. Thanks!

Jeremy

Jeremy A. Thompson  
Attorney and Counselor at Law  
Law Office of Jeremy A. Thompson, LLC  
P.O. Box 1834  
Irmo, SC 29063  
803-779-2555 Phone  
803-753-9732 Fax  
[jeremyatlaw@yahoo.com](mailto:jeremyatlaw@yahoo.com) Email

STATE OF SOUTH CAROLINA  
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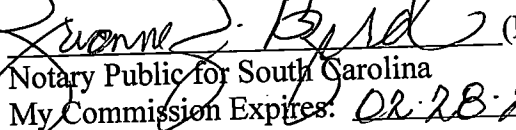
RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the Petitioner's Motion for Extension of Time in the above-entitled case has been served upon opposing counsel, Johnny James, Assistant Attorney General, Office of the Attorney General, P.O. Box 11549, Columbia, SC 29211, by depositing in the U.S. mail with proper postage, this 17<sup>th</sup> day of December, 2019.

  
JEREMY A. THOMPSON  
ATTORNEY FOR THE PETITIONER

SWORN TO BEFORE me this 17<sup>th</sup> day  
of December, 2019.

  
Notary Public for South Carolina  
My Commission Expires: 02-28-2029

YVONNE Y BYRD  
Notary Public - State of South Carolina  
My Commission Expires February 28, 2029



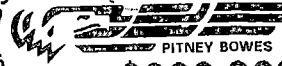
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**JEREMY A. THOMPSON**  
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P.O. Box 1834, Irmo, SC 29063

The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
P.O. Box 11330  
Columbia, SC 29211-1330



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