

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Circuit Court Judge

Appellate Case No. 2016-001666
Circuit Court Case No. 2013-CP-08-2121

RECEIVED

DEC 31 2019

SC Court of Appeals

JUSTIN R. HILLERBY, #339543,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

MOTION TO EXPEDITE APPEAL

THIS MATTER comes before the Court by way of an appeal from a Post-Conviction Relief Order. The Petitioner respectfully moves this Court to expedite oral argument in this case due to extenuating circumstances involving the status of counsel. Undersigned counsel has represented the Petitioner continuously for over six years, both below during his Post-Conviction Relief proceedings as well as before this Court. Undersigned counsel, however, has accepted a position with the Appellate Division of the Federal Public Defender's Office in Columbia, South Carolina to begin on February 3, 2020. As a result of that change in employment, undersigned counsel will not be able to present oral argument on behalf of the Petitioner if oral argument is

scheduled for a date after January 2020. Consequently, the Petitioner respectfully requests that this Court expedite oral argument, and hold such argument in January 2020, to permit undersigned counsel to present argument on behalf of the Petitioner. The Petitioner, however, respectfully requests that this Court deny this motion if the Court decided not to hold oral argument in January 2020, as a new attorney for the Petitioner would likely be hard-pressed to be prepared to argue this matter quickly given the length of the record and issues raised.

Undersigned counsel has consulted with opposing counsel regarding this request, and opposing counsel does not oppose the Court granting this request. Specifically, opposing counsel has authorized the Petitioner to inform the Court that the State is ready, willing, and able to argue the case in January 2020 at the Court's convenience in the event that this Court grants this motion.

Respectfully submitted,



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
803-753-9732 FAX
jeremyatlaw@yahoo.com

ATTORNEY FOR PETITIONER.

This 30th day of December, 2019.

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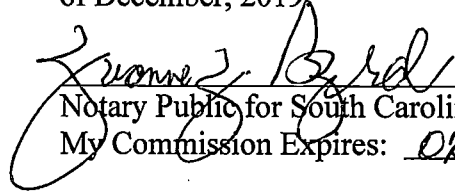
RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one copy of the Motion to Expedite Appeal in the above-entitled case have been served upon opposing counsel, Mark R. Farthing, Senior 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 30th day of December, 2019.


JEREMY A. THOMPSON
ATTORNEY FOR THE PETITIONER

SWORN TO BEFORE me this 30th 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



LAW OFFICE OF
JEREMY A. THOMPSON
LLC

December 18, 2019

RECEIVED

DEC 31 2019

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Justin R. Hillerby, #339543 v. State of South Carolina; 2016-001666

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven copies of my motion to expedite appeal in the above-named matter. I would appreciate your filing the original and six copies of the motion, clocking the remaining copy, and returning the remaining copy to me in the enclosed self-addressed, stamped envelope. With my thanks for the Court's consideration of this request, and my best regards, I am,

Yours sincerely,

Jeremy A. Thompson
Attorney and Counselor at Law

JAT/

Enclosures

cc: Mark Farthing, Assistant Attorney General (w/ enclosure)
Justin R. Hillerby, #339543 (w/ enclosure)
Vicki Clearman (w/ enclosure)

Law Office of Jeremy A. Thompson
P.O. Box 1834
Irmo, SC 29063



The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
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