

STATE OF SOUTH CAROLINA  
In The Supreme Court

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CERTIORARI TO YORK COUNTY

Roger E. Henderson, Post-Conviction Relief Judge  
John C. Hayes, III, Trial Judge

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Appellate Case No.: 2019-000655

**RECEIVED**  
JAN 07 2020  
S.C. SUPREME COURT

Antonio L. Robbins,

Petitioner,

v.

State of South Carolina,

Respondent.

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**MOTION TO RELAX RULE 243(g), SCACR, AND  
FILE RESPONDENT'S RETURN TO PETITION FOR WRIT OF  
CERTIORARI OUT OF TIME**

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COMES NOW, Respondent, above named, by and through the undersigned counsel, making its Petition to Relax Rule 243(g) and Request for Extension, and would show unto this Court:

I.

Respondent's Return to Petition for Writ of Certiorari in the above-captioned matter was due to be filed and served on December 27, 2019. However, the due date for this matter was inadvertently left off the calendar. Respondent therefore requests that the rules be relaxed in

order to file a thirty day extension in which to prepare and submit its Return to Petition for 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 Rule 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.

The undersigned counsel apologizes for any inconvenience this request has caused to the Court and to Petitioner and does not believe this request will result in any prejudice to Petitioner should it be granted. Opposing counsel has consented to this request via phone

II.

WHEREFORE, Respondent respectfully asks that this Court relax the requirements of Rule 243(g), SCACR; permit Respondent to file a request for a thirty-day extension out of time; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

JANELL H. GREGORY  
Assistant Attorney General  
S.C. Bar # 103176

P.O. Box 11549  
Columbia, S.C. 29211  
(803) 734-3737

By:   
for ATTORNEYS FOR RESPONDENT

January 7, 2020

STATE OF SOUTH CAROLINA  
In The Supreme Court

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On Writ of Certiorari to York County  
Roger E. Henderson, Post-Conviction Relief Judge  
John C. Hayes, III, Trial Judge

Appellate Case No.: 2019-000655

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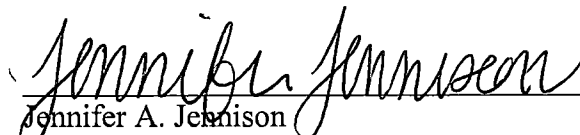
**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that a true copy of the **Motion to Relax Rule 243(g), SCACR, and File Respondent's Return to Petition for Writ of Certiorari Out of Time** has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

**Tommy A. Thomas, Esquire**  
**Post Office Box 88**  
**Irmo, SC 29063**

This 7<sup>th</sup> day of January, 2020.

  
Jennifer A. Jemison  
Administrative Coordinator for Petitioner



RECEIVED

JAN 07 2020

S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

January 7, 2020


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

RE: Antonio Robbins v. State of South Carolina  
Appellate Case No.: 2019-000655

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Motion to Relax Rule 243(g), SCACR, and File Respondent's Return to Petition for Writ of Certiorari 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,

  
fa Janell H. Gregory  
Assistant Attorney General

JHG/jaj  
Enclosures

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