

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County
The Honorable Deadra L. Jefferson, Circuit Court Judge

Appellate Case No. 2019-000184

Chad Stalnaker,

Petitioner,

v.

State of South Carolina,

Respondent.

**MOTION FOR FOURTH EXTENSION TO FILE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including February 20, 2020. This is Respondent's fourth request for an extension of time in which to file the return. In support of the request, undersigned counsel would respectfully show the Court:

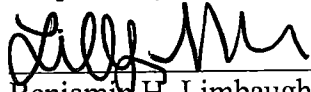
1. The Return to Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. This is the fourth request for an extension of time in which to file a response.
3. Counsel is currently appearing on behalf of the State at a PCR term in Charleston County the week of January 20 – 24, 2020, which has required significant effort to prepare for.
4. Counsel filed a Return to Petition for Writ of Certiorari in Torren Eady v. State (2018-002206) on January 2, 2020 and a Return to Petition for Writ of Certiorari in Domoneik Washington v. State (2019-000399) on January 6, 2020.

5. Counsel submitted an Order of Dismissal to Judge Jennifer McCoy in Quoteas Nesbitt v. State, on January 7, 2019, which required a significant amount of time to complete.
6. Counsel has been preparing to appear on behalf of the State at PCR hearings in Dorchester County on February 3-7, 2020, which requires significant effort.


This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The undersigned is currently working on the Return and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the Return. THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth and final thirty-day extension** until **Thursday, February 20, 2020**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Counsel for Petitioner consents to this request, as indicated by his signature below.

Respectfully submitted,


for

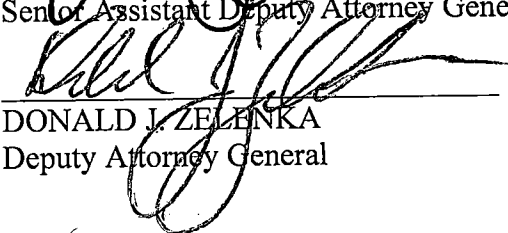

 Benjamin H. Limbaugh
 Assistant Attorney General
 S.C. Bar # 103334
 Office of the Attorney General
 Post Office Box 11549
 Columbia, South Carolina 29211
 (803) 734-3737
 Attorney for Respondent

I consent:


 Taylor D. Gilliam
 Attorney for Petitioner

We concur that extraordinary circumstances have been shown


 MEGAN HARRIGAN JAMESON
 Senior Assistant Deputy Attorney General


 DONALD J. ZELENKA
 Deputy Attorney General

This 21st day of January, 2020.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County
The Honorable Deadra L. Jefferson, Circuit Court Judge

Appellate Case No. 2019-000184

RECEIVED
JAN 21 2020
S.C. SUPREME COURT

Chad Stalnaker,

Petitioner,

v.

State of South Carolina,

Respondent


CERTIFICATE OF SERVICE

I, Respondent, hereby certify that I have served the Motion for Fourth Extension to File the Return to Petition for Writ of Certiorari, on Petitioner by depositing a copy of same in the interagency mail, addressed to:

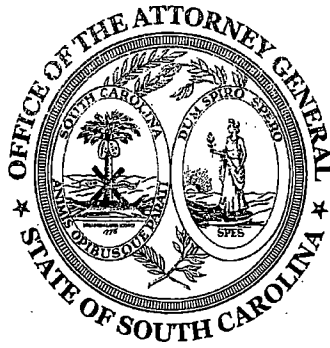
**Taylor D. Gilliam, Esquire
SC Commission on Indigent Defense – Appellate Division
Post Office Box 11589
Columbia, South Carolina 29211**

I further certify that all parties required by Rule to be served have been served.

This 21st day of January, 2020.



Jennifer Jennison
Administrative Coordinator



ALAN WILSON
ATTORNEY GENERAL

January 21, 2020

RECEIVED
JAN 21 2020
S.C. SUPREME COURT

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

RE: Chad Stalnaker v. State of South Carolina
Appellate Case No.: 2019-000184

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Motion for Fourth Extension to File Petition for Writ of Certiorari in the above matter for filing. Please let me know if anything additional is needed.

Sincerely,

for

Benjamin H. Limbaugh
Assistant Attorney General
S.C. Bar # 103334

BHL/jj
Enclosures

cc: Taylor D. Gilliam, Esquire
Victim Advocacy Division