

STATE OF SOUTH CAROLINA  
In The Supreme Court

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CERTIORARI TO LANCASTER COUNTY  
Court of Common Pleas

Honorable Brian M. Gibbons, Circuit Court Judge

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Appellate Case No. 2018-000779

**RECEIVED**

**FEB 27 2020**

**S.C. SUPREME COURT**

Vernard J. Mathis,

Petitioner,

v.

State of South Carolina,

Respondent.

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**MOTION FOR FIRST EXTENSION TO FILE  
RETURN TO PETITION FOR WRIT OF CERTIORARI AND  
MOTION TO FILE OUT OF TIME**

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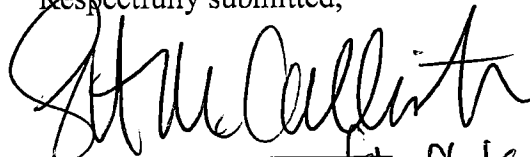
Respondent, the State, moves this Court for a first thirty-day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including **Wednesday, March 25, 2020**. This is Respondent's first request for an extension of time in which to file the return, but due to a mistake in calendaring, this request is out of time. In support of the request, undersigned counsel would respectfully show the Court:

1. The Return to Petition for Writ of Certiorari was due to be filed with the Court on Monday, February 24, 2020. However, due Respondent's mistake in calendaring, the due date was put on Counsel's calendar based on the date of receipt of the petition, rather than the date of service.

2. This is the first request for an extension of time in which to file a response.
3. Counsel now requests permission to file out of time this request for an additional thirty days, until **Wednesday, March 25, 2020**, in which to file the Return to Petition for Writ of Certiorari.
4. This extension request is not intended for purposes of delay, but rather is due to Counsel's heavy workload and to ensure the Return is properly researched and prepared. In the past thirty days, Counsel has appeared on behalf of the State at PCR hearings in Lancaster County on January 27-31, 2020, and in Richland County on February 18-21, 2020. The undersigned therefore requests an extension of time within which to serve and file the Return.

THEREFORE, undersigned counsel for Respondent respectfully requests a **first thirty-day extension** until **Wednesday, March 25, 2020**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Respondent attempted to contact Counsel for Petitioner regarding this request by telephone and email, but Respondent has not received a response at the time of this filing.

Respectfully submitted,



for SLK

Samuel L. Key  
Assistant Attorney General  
S.C. Bar # 103206  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737  
ATTORNEY FOR RESPONDENT

This 27th day of February, 2020.

STATE OF SOUTH CAROLINA  
In The Supreme Court

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FEB 27 2020  
S.C. SUPREME COURT

CERTIORARI TO LANCASTER COUNTY  
Court Of Common Pleas

The Honorable Brian M. Gibbons, Circuit Court Judge

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Appellate Case No.: 2018-000779

VERNARD MATHIS,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

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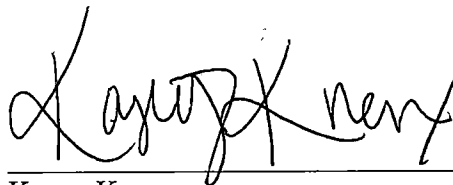
**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that a true copy of the **Motion for First Extension to File the Return to Petition for Writ of Certiorari and Motion to File Out of Time** has been served upon the applicant by mailing one copy in the United States mail, postage prepaid, addressed to:

**Tara Dawn Shurling, Esquire  
Law Office of Tara Dawn Shurling, PA  
3614 Landmark Drive, Suite A  
Columbia, SC 29204**

This 27<sup>th</sup> day of February, 2020.



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Kasey Knox  
Legal Assistant for Petitioner



ALAN WILSON  
ATTORNEY GENERAL

February 27, 2020

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FEB 27 2020  
S.C. SUPREME COURT

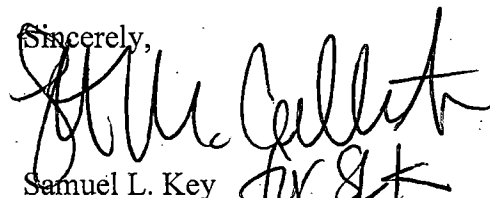
Honorable Daniel E. Shearouse  
Clerk of the Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

RE: Vernard Mathis v. State of South Carolina  
Appellate Case No.: 2018-000779

Dear Mr. Shearouse:

Enclosed please find the original and six copies of the Motion for First Extension to File the Return to Petition for Writ of Certiorari and Motion to File 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

SLK/kk  
Enclosures

cc: Tara D. Shurling, Esquire (w/enclosure)