

STATE OF SOUTH CAROLINA
In The Supreme Court

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CERTIORARI TO RICHLAND COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable J. Derham Cole, Circuit Court Judge

Appellate Case No. 2019-000658

Glen K. LaConey,

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-day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including **Monday, April 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. Since Counsel's last request for an extension, Counsel represented the State at a post-conviction relief motion hearing in Assa'ad-Faltas v. State in Richland County on February 21, 2020, and also drafted the order from that hearing; and Counsel was


scheduled to appear for the State in multiple post-conviction relief hearings in Greenville County on March 16, 2020, and March 20, 2020, which although eventually cancelled due to the coronavirus outbreak, required Counsel's time to prepare before the cancellation.

4. Over the past month, Counsel also drafted a substantive proposed order of dismissal in the case of Venable Mitchell v. State (2017-CP-40-4953), a Return and Motion to Dismiss in Jaysen Hodge v. State (2018-CP-40-2680); and a Return and Motion to Dismiss and Order of Dismissal in Eric Samuel v. State (2018-CP-40-2971).
5. Counsel has devoted significant working time to administrative and supervisory tasks over the past two weeks including assisting in preparing rosters for the (now-cancelled) terms in the Fourteenth and Fifteenth Circuits; reviewing and editing attorney work-product, including a Return to Petition for Writ of Certiorari and Returns in the Circuit Court; and helping to coordinate to the PCR section's response to escalating the coronavirus situation.

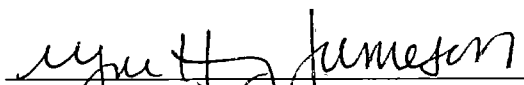
This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The undersigned is currently working on the Return and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the Return.

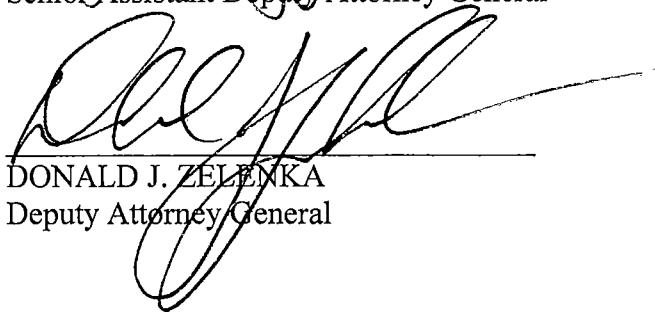
THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth and final thirty-day extension** until **Monday, April 20, 2020**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Counsel for Petitioner has consented to the extension request.

Respectfully submitted,

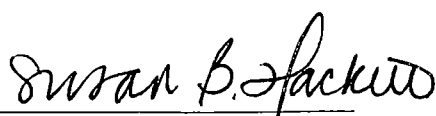

for Lindsey A. McCallister
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Attorney for Respondent

We concur that extraordinary circumstances have been shown:


Megan Harrigan Jameson
Senior Assistant Deputy Attorney General


DONALD J. ZELENKA
Deputy Attorney General

I consent:


Susan Barber Hackett
Attorney for Petitioner

This 19th day of March, 2020.