

STATE OF SOUTH CAROLINA  
In the Supreme Court

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CERTIORARI TO RICHLAND COUNTY  
G. Thomas Cooper, Trial Court Judge  
J. Derham Cole, PCR Judge

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Appellate Case No. 2019-000347

**RECEIVED**  
**Apr 16 2020**  
S.C. SUPREME COURT

JEFF CHESTNUT,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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

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Respondent moves before this Court for a final thirty day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including May 16, 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 a writ of certiorari is due to be filed with the Court today.<sup>1</sup> The Court has granted Respondent three previous extensions.
2. This is the fourth request for an extension of time in which to file a response.
3. Due to the COVID-19 pandemic, Counsel has been adjusting to working from home.
4. On March 20, 2020, Counsel filed a petition for a writ of certiorari and appendix

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<sup>1</sup> The Return to the Petition for a Writ of Certiorari was originally due on March 27, 2020. However, pursuant to this Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency" (Appellate Case No. 2020-000447), dated March 20, 2020, the due date was extended by twenty days.

in *Faltas v. State* (Appellate Case No. 2019-000708). Thereafter, Counsel realized that appendix needed to be amended, and filed an amended appendix in that case on April 13, 2020. Counsel is also currently working on an amended petition for a writ of certiorari in that case.

5. Counsel has also recently been working on several proposed orders to be submitted to circuit court judges from past PCR terms of court.

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, May 18, 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 through interagency agreement between Appellate Defense and Respondent.

Respectfully submitted,

s/ Samuel L. Key

Samuel L. Key  
Assistant Attorney General  
S.C. Bar # 103206

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Attorney for Respondent

**We concur that extraordinary  
circumstances have been shown**

**I consent:**

s/ Megan H. Jameson  
MEGAN HARRIGAN JAMESON  
Senior Assistant Deputy Attorney General

s/ Donald J. Zelenka  
Donald J. Zelenka  
Deputy Attorney General

This 16th day of April, 2020.