

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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CERTIORARI TO LEXINGTON COUNTY  
Court of Common Pleas  
The Honorable R. Keith Kelly, PCR Judge

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Appellate Case No. 2019-000695

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RECEIVED

Apr 16 2020

S.C. SUPREME COURT

WILLIAM BROCKMEYER,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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

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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 May 18, 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 on Thursday, April 16, 2020.<sup>1</sup> The Court has granted counsel three previous extensions.

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<sup>1</sup> The Return to the Petition for a Writ of Certiorari was originally due on March 27, 2020. 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, "due dates for all Appellate Court filings due on or after the effective date of this order are hereby extended for twenty (20) days."

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 was scheduled to appear for the State in a post-conviction relief term in the 13<sup>th</sup> Circuit on March 16–20, 2020, and the 11<sup>th</sup> Circuit on April 6–10, 2020, which although eventually cancelled due to the coronavirus outbreak, required Counsel's time to prepare prior to the cancellation.
4. Counsel submitted a substantive proposed order of dismissal in the case of Robert Frost v. State (2018-CP-04-01466).
5. Over the past month, Counsel has also filed a Return to Petition for Writ of Certiorari in Andrew E. Torrence v. State (2019-001060); a Return to Petition for an Extraordinary Writ in Frank Tolen v. State (2020-000109); and a Motion to Strike the Appendix and Require the Filing of an Amended Appendix in Andra Jamison v. State (2019-000031).
6. Counsel has drafted the Return to Petition for Writ of Certiorari in Johnny Sexton v. State (2019-00424) for filing on today's date.
7. Greater specificity as to the undersigned's workload can be provided upon request.

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 has consented to the extension request via email.

Respectfully submitted,

s/LillianMeadows  
LILLIAN L. MEADOWS  
Assistant Attorney General  
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(803) 734-0964  
Attorney for Respondent

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

s/MeganJameson  
MEGAN HARRIGAN JAMESON  
Senior Assistant Deputy Attorney General

s/DonaldZelenka  
DONALD J. ZELENKA  
Deputy Attorney General

This 16<sup>th</sup> day of April, 2020.

**From:** [Alexander, David](#)  
**To:** [Lilly Meadows](#)  
**Subject:** Re: [External] William Brockmeyer RPWC - Fourth Extension  
**Date:** Tuesday, April 14, 2020 2:43:10 PM

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I consent, but please take out or redact my email address from anything you file. The language we're using is "at the email address provided by the attorney in AIS."

Sent from [Outlook Mobile](#)

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**From:** Lilly Meadows <[LillyMeadows@scag.gov](mailto:LillyMeadows@scag.gov)>  
**Sent:** Tuesday, April 14, 2020 2:20:56 PM  
**To:** Alexander, David <[REDACTED]>  
**Subject:** [External] William Brockmeyer RPWC - Fourth Extension

Hi David,

Sorry for bothering you again, but I was told I needed to send you a copy of the motion to properly get your consent. I've attached the motion I plan on filing Thursday with your response to this email.

Thank you!

Lilly



**Lillian L. Meadows**  
Assistant Attorney General  
Post-Conviction Relief Division

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