

**RECEIVED**

MAY 26 2020

S.C. SUPREME COURT

THE SUPREME COURT OF  
SOUTH CAROLINA

Worth Edward Cook III,  
Petitioner,

v.

State of South Carolina,  
Respondent.

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Appellate Case No.

2019-001248

MOTION FOR

TIME EXTENSION

Petitioner, Worth Edward Cook III, hereby moves this court to grant him a second time extension to serve and file his Johnson "prose" response.

The order of the Supreme Court granting petitioner's first request for a time extension was sealed and dated April 01, 2020. His time was extended until June 08, 2020. In that order petitioner was notified that pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009

([www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01](http://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01)), any further extension request must be based on a showing of good cause.

Petitioner intends to show good cause by setting forth the following facts and arguments:

### I.

Prior to April 27, 2020 petitioner had been going to the law library to do much needed research (due to petitioner's extremely limited knowledge of law) in preparation to file his Johnson "prose" response. Barnwell unit (F2/A) at Allendale Correctional Institution, where petitioner is housed, is only scheduled one day a week (Monday) for law library access. Even then the amount of time is limited.

To make things even more difficult, On April 27, 2020 when

petitioner requested to go to the law library he was told that the law library was closed. He then informed the correctional officer that he had a dead line, the officer told him that he would have to wait till the education building where the law library is located opens back up.

On and about midday April 28, 2020 Allendale Correctional Institution went on full lock down due to a Covid-19 outbreak inside the institution. Sense then for several weeks petitioner **repeatedly** requested for law library access explaining he has a dead line on June 08, 2020. Each and every time he has been denied access to the law library.

Petitioner is not going to be allowed access to the law library untill Allendale Correctional Institution

returns to normal operations. That is not going to take place until the South Carolina Department of Corrections administration concludes that the Covid-19 outbreak is under control. Petitioner can not get or give a date of when that might take place because there is no way of determining how long that may take.

Petitioner along with this motion for time extension has included a S.C.D.C. Form 19-11 (Request of Staff Member) wrote to Lt. Combs the lieutenant over Barnwell housing unit (F2/A) at Allendale Correctional Institution where petitioner is housed. In said form petitioner presented Lt. Combs with the facts and issues concerning his need for access to the law library and the denial thereof. Petitioner

then asked Lt. Combs to answer three simple questions concerning the above stated issues.

Question #1:

Why is the law library closed? To which Lt. Combs answer was, "A.C.I. (Allendale Correctional Institution) is on total lock down".

Question #2:

When will the law library be opened back up? To which Lt. Combs answer was, "When A.C.I. gets back to normal operations".

Question #3:

When will I (petitioner) be able to have law library access? To which Lt. Combs answer was, "When A.C.I. opens the education building back up (Normal Operations)".

Petitioner included the above mentioned S.C.D.C. Form 19-11 as evidence to his

not being allowed law library access.  
Marked as pg. 9 of 11.

Petitioner can not properly prepare a Johnson "pro se" response without suitable law library access. Petitioner feels that depriving him; for any reason what so ever; access to a law library or any information he needs, may need, or fills he needs for the research and preparation to filing a "pro se" response to this Court is a violation of his due process rights. Also his guaranteed Sixth Amendment U.S. Constitutional rights to a fair hearing because there is no way petitioner can be expected fairly to prepare his "pro se" response without access to a law library. Especially when that needed access to a law library is completely out of his control. In fact being denied completely.

WHEREFORE, Due to the above stated facts and issues that are completely beyond His control, Petitioner respectfully requests this court to grant a second time extension from showing of good cause, to serve and file a Johnson "prose" response. Said time extension will provide the time needed for Allendale Correctional Institution to come off full lock down so that petitioner can then have the needed access to the law library. That giving him a fair chance to properly prepare his Johnson "prose" response. Petitioner would like to thank the Court for its time and consideration.

[Signature block to follow]

Respectfully submitted,  
By: Worth Edward Cook III  
Worth Edward Cook III  
SCDC # 293532  
"pro se" Petitioner  
Allendale Correctional Institution  
P.O. Box 1151  
Fairfax, S.C. 29827

Date: May 20, 2020

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
REQUEST TO STAFF MEMBER

|   |   |                            |
|---|---|----------------------------|
| TO: NAME:<br><i>Mr. Combs</i>                   | TITLE:<br><i>Lt. Barnwell</i>           | DATE:<br><i>05-20-2020</i> |
| INMATE'S NAME:<br><i>Worth Edward Cook, III</i> | SCDC #:<br><i>293532</i>                |                            |
| INSTITUTION:<br><i>Allendale C.I.</i>           | LIVING QUARTERS:<br><i>F2/A Cell 55</i> |                            |

Prior to April 27, 2020 I had been going to the law library on Barnwell's (F2/A) scheduled time for the law library (every monday). I had been working a "prose" response on which my dead line to have filed is June 08, 2020. Starting on April 27, 2020 I have been repeatedly told the law library is closed, each time I have asked to go. I always tell the correctional officer about having a dead line when I ask about access to the law library. If you could please answer three questions for me, I will be very greatful. 1.) Why is the law library closed? 2.) When will the law library be opened back up? 3.) When will I be able to have law library access again? Thank You for your time and God bless.

DISPOSITION BY STAFF MEMBER:

- 1.) ACI is on total lock down
- 2.) When ACI gets back to normal operations
- 3.) When ACI opens the education building back up (Normal Operations)

→ pg. 9 of 11 ←

|                         |  |
|-------------------------|--|
| DATE:<br><i>5-20-20</i> | SIGNATURE:<br><i>Kenneth G. C. Lt.</i> |
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CERTIFICATE OF  
SERVICE BY  
MAIL

Petitioner, Worth Edward Cook III, SCDC #293532, certifies that he has on this the 20<sup>th</sup> day of May, 2020 filed a Motion For Time Extension showing good cause upon the State of South Carolina, In the Supreme Court of South Carolina through the Supreme Court of South Carolina's Clerk of Court's office; at the address below; by depositing one copy in the United States Mail.  
Daniel E. Shearouse, Clerk of Court  
P.O. Box 11330  
Columbia, S.C. 29211

[Signature block to follow]

Respectfully submitted,  
By: Worth Edward Cook III

Worth Edward Cook III

SCDC # 293532

Allendale Correctional Ins.

P.O. Box 1151

Fairfax, S.C. 29827

Date: May 26, 2020