

RECEIVED

JUN 09 2020

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Deidre L. Jefferson, Circuit Court Judge

Case No. 2019-001193

Terrell L. McCoy, #256070 Petitioner,

v.

State of South Carolina, Respondent.

PETITIONER'S OBJECTION TO EXTENSION REQUEST

The Petitioner, by and through his undersigned counsel, objects to the Respondents motion for extension of time on the following grounds:

1. The Respondent failed to file a timely response to Petitioners Writ of Certiorari filed by counsel on February 5, 2020.
2. The Respondent filed a motion request an extension on March 5, 2020. The extension was granted and the response was due on April 6, 2020.
3. On March 20, 2020, Chief Justice Betty issued a Coronavirus Emergency Order which gave counsel an additional 20 days to file any responses to Petitioner's Writ

of Certiorari. This order does not extend the time to serve a notice of appeal under Rules 203, 243, and 247 of the South Carolina Appellate Court Rules.

4. The Respondent's response was due April 25, 2020.
5. The Respondent failed to timely request an extension between March 10, 2020 and May 28, 2020.
6. On May 26, 2020, Respondent contact counsel for Petitioner requesting that she consent to a motion for extension. Council was advised by Petitioner not to consent to the Respondent's request because responded failed to file for an extension in a timely manner
7. Petitioner objects to Respondents motion for an extension on the grounds that the delay is violating Petitioner's rights under the United States Constitution and South Carolina Constitution, Article 1, sections (2),(3), and (9).

Petitioner request that the Court move forward with the review of Petitioner's Writ of Certiorari as counsel for Respondent failed to make any timely response to the Writ of Certiorari.

Dated: June 5, 2020

Respectfully Submitted,



Clarissa Warren Joyner

P.O. Box 1724

Orangeburg, South Carolina 29115

(803)534-8393

Attorney for Petitioner

Other Counsel of Record:
Benjamin H. Limbaugh
Assistant Attorney General
P.O. Box 11549
Columbia, SC 29211
(803) 734-3737