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Jun 10 2020

S.C. SUPREME COURT

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: (803) 734-1499

To: The Honorable Daniel Shearhouse
Of: Supreme Court of South Carolina
From: Clarissa Warren Joyner, Esquire
Client/Matter: Terrell McCoy v. State of South Carolina
(Civil Action No.: 2013-CP-10-1994)
Date: June 10, 2020

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Petitioner's Objection to Extension Request	3
Letter	1

COMMENTS:

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RECEIVED**Jun 10 2020***Clarissa Warren Joyner*

S.C. SUPREME COURT

Attorney at Law

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June 5, 2020

The Honorable Daniel Shearouse
Clerk of the South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: Terrell McCoy v. State of South Carolina
Civil Action Number 2013-CP-10-1994

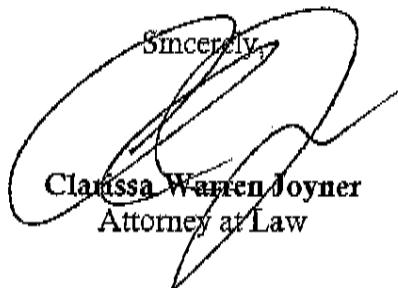
Dear Mr. Shearouse:

Please find enclosed Petitioner's Objection to Extension Request along with Proof of Service in the above-referenced case. By copy of this letter, I am also serving opposing counsel, Benjamin H. Limbaugh, with a copy of the Objection to Extension Request.

Should you have any questions or need any additional information, please do not hesitate to contact me.

With kind regards, I am

Sincerely,



Clarissa Warren Joyner
Attorney at Law

CWJ/mdc
Enclosures

cc: Terrell McCoy
Benjamin H. Limbaugh, Esquire

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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
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S.C. SUPREME COURT

IN THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Case No. 2013-CP-10-1994

State of South Carolina, Respondent,

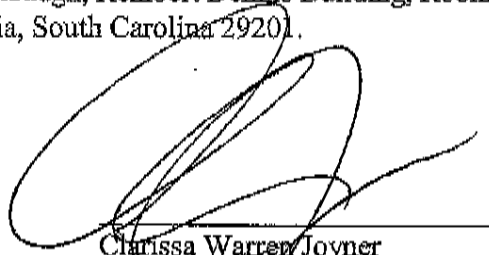
v.

Terrell McCoy, #256070 Petitioner.

PROOF OF SERVICE

I certify that I have served the Objection to Extension Request on the South Carolina Attorney General's Office by mailing a copy of it on June 5, 2020 to the attorney of Record, Benjamin H. Limbaugh, Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201.

Dated: June 5, 2020



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