

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Newberry County

R. Scott Sprouse, Circuit Court Judge

RECEIVED

Jun 11 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

STEVE YOUNG,

PETITIONER

Appellate Case No. 2017-002412

**MOTION TO FILE REQUEST FOR EXTENSION OF TIME
TO FILE BRIEF OF PETITIONER OUT OF TIME**

Pursuant to Rule 240, SCACR, undersigned counsel respectfully requests the Court to accept this request for a first extension of time out of time. In support of this request, counsel shows:

(1) On May 4, 2020, this Court granted the petition for writ of certiorari and ordered the brief of petition to be filed within thirty days. Therefore, the brief was due on June 3, 2020.

(2) However, the order granting the petition for writ of certiorari and ordering briefing was never sent by this Court to counsel. Thus, counsel was unaware of the order until today when counsel found it on C-Track while checking on the status of various cases. The date of discovery of the order is after the due date of the brief; therefore, undersigned

counsel could not comply with this Court's order. Based upon communications with the attorney for the state, it is undersigned counsel's belief that this Court emailed the order to the attorney for the state only.

(3) Counsel makes this request in good faith and not for purposes of delay.

(4) Undersigned counsel represents that the attorney for the state consents to this request based upon email communication exchanged today.

WHEREFORE, counsel for Petitioner respectfully requests the Court accept this request for a first thirty-day extension in which to file the brief of petitioner out of time.

s/Susan B. Hackett

Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court’s Order “RE: Operation of the Appellate Courts During the Coronavirus Emergency,” dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion to Accept the extension Out of Time in the above-referenced case has been served upon Brianna Schill, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), which is briannaschill@scag.gov, this 11th day of June, 2020.

s/Susan B. Hackett

Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER