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S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

June 15, 2020

Honorable Daniel E. Shearouse
Clerk of the Supreme Court of South Carolina
Post Office Box 11330
Columbia, South Carolina 29211
(By Electronic Filing Only)

RE: David G. Johnson v. State of South Carolina
Appellate Case No.: 2019-000813

Dear Mr. Shearouse:

Enclosed please find the Motion for Fourth Extension to File Return to Petition for Writ of Certiorari, in the above matter for filing in your office. By copy of this letter, I am serving opposing counsel with this motion today.

Sincerely,

s/ Lindsey A. McCallister

Lindsey A. McCallister
Assistant Deputy Attorney General

LAM/jaj
Enclosures

cc: Victor R. Seeger, Esquire (By Email Only)

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Florence County
George M. McFaddin, Circuit Court Judge

Appellate Case No. 2019-000813

David G. Johnson,

Petitioner,

v.

State of South Carolina,

Respondent.

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

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 July 15, 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 Monday, June 15, 2020. The Court has granted undersigned counsel for Respondent three previous extensions.
2. This is the fourth request for an extension of time in which to file the Return.
3. This extension request is not intended for delay, but rather, is necessitated by a heavy workload and personal circumstance. Undersigned counsel is currently on maternity leave following the birth of her first child. While on maternity leave, undersigned

counsel has still been diligently working on her appellate and circuit caseload and has submitted numerous appellate and circuit court pleadings and filings. The undersigned is currently working on her appellate filings, including this case, and hopes to have this Return completed shortly.

4. Undersigned counsel therefore requests an extension of time within which to serve and file the Return to the Petition for Writ of Certiorari.

THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth thirty-day extension** until **Wednesday, July 15, 2020**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above extraordinary circumstances.

Respectfully submitted,

s/ Lindsey A. McCallister
Lindsey A. McCallister
Assistant Deputy Attorney General
S.C. Bar # 79054
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-0964
Attorney for Respondent

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

s/ Megan Harrigan Jameson
MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General

s/ Donald J. Zelenka
Donald J. Zelenka
Criminal Division Deputy Attorney General

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PROOF 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 Return to Petition for Writ of Certiorari has been served upon opposing counsel by sending to opposing counsel's primary e-mail address as listed in the Attorney Information System (AIS):

Victor R. Seeger, Esq.
vseeger@sccid.sc.gov

I further certify that all parties required by Rule to be served have been served.

This 15th day of June, 2020.

s/ Lindsey A. McCallister
Lindsey A. McCallister
Assistant Deputy Attorney General
S.C. Bar # 79054
Office of the Attorney General
P. O. Box 11549
Columbia, South Carolina 29211
(803) 734-0964
Attorney for Respondent