

STATE OF SOUTH CAROLINA  
In The Supreme Court

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CERTIORARI TO JASPER COUNTY  
Court of Common Pleas

Perry M. Buckner, Trial Judge  
Thomas A. Russo, PCR Judge

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Appellate Case No. 2019-001176

**RECEIVED**

**Jun 23 2020**

**S.C. SUPREME COURT**

PHILLIP MONROE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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

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Respondent moves before this Court for a fourth thirty-day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including July 19, 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<sup>1</sup>:

1. The return to petition for a writ of certiorari is due to be filed with the Court today. The Court has granted Respondent three previous extensions.

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<sup>1</sup> In compliance with: *In Re: Extensions in Criminal and Post-Conviction Relief Cases*, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1).

2. This request is not intended for the purposes of delay; rather, it is due to undersigned counsel assuming representation of the matter and undersigned counsel's extraordinarily heavy workload at present.

This extension request is not intended for purposes of delay, but rather to ensure that the return is properly researched and prepared. The undersigned is currently working on the return and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the return. THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth and final thirty-day extension** until **Monday July, 19, 2020**, in which to complete and file the return to petition for writ of certiorari in this case based upon the above exigent circumstances. Counsel for Petitioner consents to this request by email.

{Signature on following page}

Respectfully submitted,

s/ Benjamin Limbaugh

BENJAMIN LIMBAUGH  
Assistant Attorney General  
S.C. Bar # 103334

Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737  
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  
Deputy Attorney General

This 19<sup>th</sup> day of June, 2020.

**From:** Benjamin Limbaugh  
**Sent:** Friday, June 19, 2020 12:42 PM  
**To:** 'Delany, Joanna'  
**Subject:** RE: [External] Phillip Monroe Fourth Extension Request  
**Attachments:** Monroe Fourth Extension (02305867xD2C78).pdf

Joanna,

I appreciate you consenting to the request. I have attached the request and will be filing it along with a copy of this email shortly. Please let me know if you need anything further from me.

Thank you,  
Ben



**Benjamin Limbaugh**  
**A.A.G.**  
**Post-Conviction Relief**  
**Section**

**S.C. Attorney General's**  
**Office**  
Rembert C. Dennis Building  
1000 Assembly St.  
Columbia, SC 29201  
(803)-734-4124  
[blimbaugh@scag.gov](mailto:blimbaugh@scag.gov)

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**From:** Delany, Joanna <[jdelany@sccid.sc.gov](mailto:jdelany@sccid.sc.gov)>  
**Sent:** Friday, June 19, 2020 12:30 PM  
**To:** Benjamin Limbaugh <[BLimbaugh@scag.gov](mailto:BLimbaugh@scag.gov)>  
**Subject:** RE: [External] Phillip Monroe Fourth Extension Request

No problem, I consent.

Joanna

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**From:** Benjamin Limbaugh <[BLimbaugh@scag.gov](mailto:BLimbaugh@scag.gov)>  
**Sent:** Friday, June 19, 2020 11:10 AM  
**To:** Delany, Joanna <[jdelany@sccid.sc.gov](mailto:jdelany@sccid.sc.gov)>  
**Subject:** [External] Phillip Monroe Fourth Extension Request

Good morning Ms. Delany,

I hope you're doing well. I wanted to reach out to see if you would consent to a fourth extension for Monroe? Sara Gunton has recently switched divisions in our office and I (or Megan) will be taking over the case. Since I am taking the case as of today, I need more time to prepare and file. I appreciate the consideration.

Thank you,  
Ben



**Benjamin Limbaugh**  
**A.A.G.**  
**Post-Conviction Relief**  
**Section**

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