

STATE OF SOUTH CAROLINA  
In The Supreme Court

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CERTIORARI TO FLORENCE COUNTY  
Court of Common Pleas

D. Craig Brown, PCR Judge

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Appellate Case No. 2019-001494

**RECEIVED**

**Jul 16 2020**

**S.C. SUPREME COURT**

ROGER BRUCE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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**MOTION FOR EXTENSION TO FILE  
RETURN TO PETITION FOR WRIT OF CERTIORARI AND  
MOTION TO FILE OUT OF TIME**

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Respondent, the State, moves this Court, out of time, for a first thirty-day extension of time in which to file the Return to Petition for Writ of Certiorari, up to and including **July 29, 2020**. This is Respondent's first request for an extension of time in which to file the return, but due to a mistake in calendaring, this request is out of time. In support of the request, undersigned counsel would respectfully show the Court:

1. The Return to Petition for a Writ of Certiorari in this case was due to be filed with the Court on Monday, June 29, 2020. However, due to a clerical error, undersigned counsel missed the deadline.

2. This is the first request for an extension of time in which to file the Return to Petition for a Writ of Certiorari and Brief of Respondent.
3. Counsel now requests permission to file out of time this request for an additional thirty days, until July 29, 2020, in which to file the Return to Petition for a Writ of Certiorari and Brief of Respondent.
4. This extension request is not intended for purposes of delay, but rather is due to Counsel's heavy workload and to ensure the return is properly researched and prepared. In the past thirty days, undersigned counsel has:
  - a. Filed a return to petition for a writ of certiorari in *Vernard Mathis v. State*, 2018-000779, on June 18, 2020.
  - b. Filed a return to petition for a writ of certiorari in *Zacoata Lopey v. State*, 2019-000320, on June 24, 2020.
  - c. Filed a petition for a writ of certiorari to the court of appeals with this Court in *Elders v. State*, 2020-000891, on June 30, 2020.
  - d. Filed a return to petition for a writ of certiorari in *Henry Gray v. State*, 2019-001127, on July 13, 2020.
  - e. Worked with the Chief Administrative Judge in the Twelfth Circuit to schedule PCR hearings on July 27, 2020.
  - f. Currently working with the Chief Administrative Judge in the Fifth Circuit to schedule a PCR term of court the week of August 10, 2020.
  - g. Submitted proposed orders to circuit court judges, filed returns, and motions in the circuit court.
5. Opposing counsel has graciously consented to this request through inter-agency agreement.

6. The undersigned therefore requests an extension of time within which to serve and file the Return to Petition for a Writ of Certiorari.

THEREFORE, undersigned counsel for Respondent respectfully requests a **first thirty-day extension** until **July 29, 2020**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances.

Respectfully submitted,

s/ Samuel L. Key  
SAMUEL L. KEY  
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ATTORNEYS FOR RESPONDENT

This 16th day of July, 2020.