

STATE OF SOUTH CAROLINA
In The Supreme Court

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Jul 17 2020

CERTIORARI TO LEXINGTON COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Edgar W. Dickson, PCR Judge

Appellate Case No. 2019-001187

RODNEY C. BRYAN,

PETITIONER/RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT/PETITIONER.

**MOTION FOR FOURTH EXTENSION TO SERVE AND
FILE CROSS-PETITION FOR A WRIT OF CERTIORARI**

Respondent/Petitioner, the State, moves before this Court for a **fourth thirty-day extension** of time in which to file the Cross-Petition for a Writ of Certiorari, up to and including **Monday, August 17, 2020**. This is Respondent/Petitioner's fourth request for an extension of time in which to file the cross-petition. In support of the request, undersigned counsel would respectfully show the Court:

1. The Cross-Petition for a Writ of Certiorari in this case was due to be served and filed with the Court today, July 17, 2020.
2. This is undersigned counsel's fourth thirty-day extension request.
3. Undersigned counsel respectfully requests a fourth thirty-day extension request to serve and file the Cross-Petition for a Writ of Certiorari.

4. This extension request is not intended for purposes of delay, but rather is due to undersigned 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.
6. The undersigned therefore requests an extension of time in which to serve and file the Cross-Petition for a Writ of Certiorari.

THEREFORE, undersigned counsel for Respondent/Petitioner respectfully requests a **fourth thirty-day extension** until **Monday, August 17, 2020**, in which to complete and file the Cross-Petition for a Writ of Certiorari in this case based upon the above exigent circumstances.

Respectfully submitted,

s/ Samuel L. Key
SAMUEL L. KEY
Assistant Attorney General
S.C. Bar No. 103206

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ATTORNEYS 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 17th day of July, 2020.