

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

CERTIORARI TO JASPER COUNTY
Court of Common Pleas
The Honorable Thomas A. Russo, PCR Judge

Appellate Case No. 2019-001176

RECEIVED

Jul 20 2020

S.C. SUPREME COURT

PHILLIP MONROE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**MOTION FOR FIFTH 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 August 19, 2020**. This is Respondent's fifth 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

1. The Return to Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted Respondent four previous extensions.
2. This is the fifth request for an extension of time in which to file a response.
3. Counsel assumed representation for Respondent in this case on June 29, 2020,

¹ 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).

at which time four extensions had already been granted to the previous counsel of record for Respondent, who has left the Office of the Attorney General.

4. Counsel is simultaneously preparing for the upcoming terms of Post-Conviction Relief in the 13th Circuit, to be held August 2–10, 2020, and in the 11th Circuit, to be held August 10–14, 2020. Counsel has been diligently working with the Chief Administrative Judges on logistical issues associated with preparing the rosters in light of the COVID-19 pandemic.
5. Greater specificity as to the undersigned's workload can be provided upon request.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. 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 fifth and final thirty-day extension until Wednesday, August 19, 2020, in which to complete and file the return to petition for writ of certiorari based upon the above exigent circumstances. Counsel for Petitioner consents to this request through interagency agreement between Appellate Defense and Respondent.

Respectfully submitted,

s/LillianMeadows
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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 20th day of July, 2020.