

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO BEAUFORT COUNTY
Court of Common Pleas
Carmen T. Mullen, Trial Judge
William H. Seals, Jr. PCR Judge

RECEIVED

Aug 21 2020

S.C. SUPREME COURT

Appellate Case No. 2019-001660

ADRIAN JENKINS,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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

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 September 21, 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 Court¹:

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.
2. This request for an extension is not intended for the purposes of delay, but rather, is due to an extraordinarily high workload undersigned counsel presently has. Specifically, undersigned counsel assumed representation in this case, as

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).

- well as number of other appeals arising from the First and Fourteenth Circuit post-conviction relief cases, as well as the circuit court caseload for the First and Fourteenth Circuits, when the former Assistant Attorney General handling those circuits with undersigned counsel left the Office of the Attorney General.
3. Counsel has been preparing to appear on behalf of the State at PCR virtual hearings for the 14th Circuit on August 24-28, 2020, which has required significant scheduling efforts and preparation.
 4. Counsel has also been scheduling and handling the logistical aspects of the 1st Circuit PCR term the week of August 31.
 5. In the past thirty days Counsel has filed a Return to Petition for Writ of Certiorari in Stanley Wright v. State (2019-000676), a Return to Petition for Writ of Certiorari and Brief of Respondent in Lucas Glover v. State (2019-000812), a Return to Petition for Writ of Certiorari in Antonio Young v. State (2019-000810), and a Brief of Respondent in Randal Benton v. State (2017-002021).
 6. Additionally, counsel has drafted and submitted numerous circuit court filings in the 1st Circuit, 9th Circuit, and 14th Circuit; greater specificity on these filings can be provided if necessary upon the Court's request.

This extension request is not intended for purposes of delay, but rather to ensure that the return is properly researched and prepared, and in light of undersigned counsels' extraordinarily heavy workload. To avoid future extensions in this case or any of undersigned counsel's other cases, numerous cases have been assigned to other attorneys within the office to alleviate the heavy workload.

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, September, 21, 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.

Respectfully submitted,

s/ Benjamin Limbaugh

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We concur that extraordinary circumstances have been shown and steps are being taken to avoid any future extensions on this or other appellate cases.

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

This 21th day of August, 2020.

s/Donald J. Zelenka
DONALD J. ZELENKA
Deputy Attorney General