

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

CERTIORARI TO RICHLAND COUNTY
Court of Common Pleas

The Honorable R. Scott Sprouse, PCR Judge
The Honorable J.C. Nicholson, Trial Judge

Appellate Case No. 2019-001408

Christopher Heller, #332997,

Respondent,

v.

State of South Carolina,

Petitioner.

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

Counsel for Respondent 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 **Monday, October 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:

1. The Return to Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted Counsel three previous extensions.
2. This is the fourth request for an extension of time in which to file a response.
3. Counsel recently returned to full-time hours from maternity leave and is working as expeditiously as possible to submit outstanding circuit court returns, orders, and

appellate filings.

4. Since Counsel's last request for an extension, Counsel has filed a return to petition for writ of certiorari in Michael Orlando Brown (2019-001677), and Counsel is filing a petition for writ of certiorari and appendix pursuant to Rule 242, SCACR, in Hubert Brown v. State (2020-UP-144) today. Counsel is also currently working on a return to petition for writ of certiorari in Chris A. Liverman v. State (2019-000839), to be filed Monday, September 21, 2020, which contains fourteen issues.

This extension request is not intended for purposes of delay, but rather to ensure 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. Counsel for Petitioner has consented to this request pursuant to interagency agreement.

THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth and final thirty-day extension** until **Monday, October 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 has consented to the extension request pursuant to interagency agreement.

Respectfully submitted,

s/ Lindsey A. McCallister

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**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 18th day of September, 2020.