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RECEIVED

Oct 19 2020

S.C. SUPREME COURT

October 18, 2020

Via OneDrive Upload:

Mr. Daniel E. Shearouse, Clerk
Supreme Court of South Carolina
P.O. Box 11330
Columbia, S.C. 29211

**Re: Earnest E. Vaughn, Petitioner vs. South Carolina, Respondent
Appellate Case No. 2020-000750**

Dear Clerk,

Please accept this letter as my request for an extension in which to file my Initial Brief and accompanying documents in the above titled matter for a period of thirty (30) days. In support of my request, I submit that this is my first request for an extension. Further, I did not represent the Petitioner in the proceedings below and need additional time to review the transcript of this matter and consult with my client. Lastly, please see Honorable Chief Justice Donald W. Beatty's Order, attached as Exhibit A, regarding trial settings in Richland County Family Court relative to SCDSS matters. I have a contract with Richland County DSS and have been assigned to handle ten (10) trials during these two weeks, which has added an additional amount of work to my already busy schedule. If the Court requires additional information, please do not hesitate to contact me. With kind regards, I remain

Very Truly Yours,

s/Scarlet B. Moore

Scarlet B. Moore
Attorney for Petitioner

Cc: via Email:

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The Supreme Court of South Carolina

ORDER

RE: Department of Social Services
Case Terms for Richland County

In recognition of the number of contested hearings that were continued due to the coronavirus (COVID-19) emergency during this year, and after discussions with the Department of Social Services (DSS) and per their request, I find that it would be beneficial for specific terms to be set aside to deal with the accumulation of DSS cases. Now therefore, and pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution and S.C. Code Ann. §§ 63-3-320; -340 (2010),

IT IS ORDERED that for Richland County for the weeks of October 26, 2020 and November 2, 2020 terms of the Family Court shall be set aside for the purpose of hearing contested DSS matters which were previously continued between the dates of March 16, 2020 and July 31, 2020.

DSS shall, at least one week prior to the start of the term, provide the trial judge with a roster of cases which are subject to being called during that week, including adequate back-up cases to ensure the term is being used efficiently.

The cases to be scheduled should be limited to contested matters which were previously continued between the dates of March 16, 2020 and July 31, 2020. These cases should consist of contested hearings involving (1) children who have been in foster care for 60 days or more and who have not had a merits hearing; (2) children awaiting an abuse or neglect hearing on the merits of their removal from their parents; and (3) final merit trials involving termination of parental rights.

The Chief Administrative Judge for the Fifth Judicial Circuit has the authority to continue any previously scheduled matters, and to resolve any issues, pending in any county, that conflict with the designated terms of court. Further, all attorneys of record appearing on a DSS case scheduled during the designated terms of court are granted protection from appearances in any other matter.

EXHIBIT A

The trial judge and Chief Administrative Judge are instructed that continuances for these matters should not be granted. At the end of the designated terms, DSS shall provide to the Chief Administrative Judge for the Fifth Judicial Circuit a summary of activity which shall include both the number of cases docketed, and the number of cases heard during the term. The Chief Administrative Judge shall forward the summary to Amy Wessinger at Court Administration.

In an effort to maximize the use of these designated terms, the Order of Priority Between Tribunals, as set forth in Rule 601(a) of the SCACR, shall be amended to give all matters scheduled pursuant to this Order priority over all other hearings, with the exception of hearings scheduled before the Supreme Court, the Court of Appeals, the Commissions on Judicial Conduct and Lawyer Conduct, and the Committee on Character and Fitness.

In light of the continuing pandemic and to ensure in-person matters are conducted in a reasonably safe manner, these terms will comply with all guidelines relating to in-person proceedings as outlined in the memorandum dated September 14, 2020, titled RE: Court Operations.

The judges assigned to these terms are as follows:

For the week of October 26, 2020, the previously scheduled terms of court for the Honorable M. Scott Rankin and the Honorable C. Vance Stricklin, Jr. in Richland County shall be converted to terms designated for the handling of the above-referenced DSS matters.

For the week of November 2, 2020, the previously scheduled terms of court for the Honorable Gwendlyne Y. Jones and the Honorable Michelle M. Hurley in Richland County shall be converted to terms designated for the handling of the above-referenced DSS matters.



Donald W. Beatty
Chief Justice

Columbia, South Carolina
October 6, 2020