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Oct 27 2020

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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On Petition for Writ of Certiorari to Lexington County

The Honorable R. Knox McMahon, Trial Judge  
The Honorable Brooks P. Goldsmith, Jr., PCR Judge

Appellate Case No. 2019-001436

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QUINCY A. MCCANTS,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

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**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH TO SERVE AND  
FILE RETURN TO PETITION FOR WRIT OF CERTIORARI**

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Respondent hereby moves before this for a third and final extension of time in which to file its return to the petition for a writ of certiorari. In support of this motion, the undersigned shows the following:

1. Respondent's return to the petition for a writ of certiorari was due to be filed and served on October 8, 2020;
2. On October 8, 2020, Respondent filed a motion to compel, which included a request for a third extension of time in which to file the return to the petition for a writ of certiorari and a request that the time be tolled until the motion be ruled upon;
3. That request for an extension was made with the consent of Petitioner, per an

inter-agency agreement to consent to all requests for extensions through October 31, 2020;

4. This Court denied the motion to compel in an order issued on October 23, 2020, after Respondent requested that it be allowed to withdraw the motion;
5. The Court has not issued an order concerning Respondent's request for a third extension;
6. Respondent requests herein that the Court grant a third extension of thirty days and accept this motion as if made within the appropriate filing deadline;
7. With advance notice of approximately eleven days, the undersigned represented the State at a post-conviction relief term of court in the Tenth Judicial Circuit which began on October 19, 2020, and ended on October 23, 2020;
8. In the past few weeks, the undersigned has submitted various pleadings, motions, and other papers in the circuit court, including a proposed order denying a motion for relief from judgment in Belton v. State, 2010-CP-04-0678, a return and motion for a more definite statement in Griffin v. State, 2020-CP-23-2941, a return in Richardson v. State, 2020-CP-37-038, a return, partial motion to dismiss, and motion for a more definite statement in Zurro v. State, 2020-CP-23-1562, a return and motion to dismiss in Ferguson v. State, 2020-CP-39-0044, a proposed consent order of dismissal in Phillips v. State, 2016-CP-39-1441, a proposed consent order of dismissal in Holmes v. State, 2016-CP-23-04768, and a motion to quash subpoenas in Gaskins v. State, 2017-CP-23-5901;
9. The undersigned recently served and filed in this Court a petition for a writ of

certiorari and appendix in Phillips v. State, 2020-000568;

10. The undersigned is preparing a proposed roster for the upcoming post-conviction relief term of court scheduled to begin in the Thirteenth Judicial Circuit on November 30, 2020;
11. The undersigned is preparing for a guilty plea reconstruction hearing in Farmer v. State, 2015-CP-39-1135, which is tentatively scheduled to take place in the Thirteenth Judicial Circuit during the week of November 9, 2020; and
12. Petitioner consents to this third request for an extension by an inter-agency agreement.

**WHEREFORE**, Respondent prays that this Court will grant a third and final extension of thirty days for Respondent to serve and file its return to the petition for a writ of certiorari and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

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Assistant Attorney General

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October 27, 2020

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).

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