

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO HORRY COUNTY
Court Of Common Pleas

The Honorable Kristi F. Curtis, Circuit Court Judge

Appellate Case No.: 2020-000412

RECEIVED

Dec 15 2020

S.C. SUPREME COURT

Armando K. Chestnut,

Petitioner,

v.

State of South Carolina,

Respondent.

**MOTION TO RELAX RULE 243(G), SCACR, AND FILE RESPONDENT'S RETURN
TO PETITION FOR WRIT OF CERTIORARI OUT OF TIME**

NOW COMES, Respondent, above named, by and through the undersigned counsel, making its Petition to Relax Rule 243(g) and Request for Extension, and would show unto this Court:

I.

Respondent's Return Petition for Writ of Certiorari in the above-captioned matter was due to be filed and served on December 14, 2020. However, Respondent inadvertently missed the deadline. Respondent therefore respectfully requests that the rules be relaxed in order to file a

thirty day extension in which to prepare and submit it return to the petition. See Rule 263(b), SCACR (“The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”). This is Respondent’s first extension request in this case.

The undersigned counsel apologizes for any inconvenience this request has caused to the Court and to Petitioner and does not believe this request will result in any prejudice to Petitioner should it be granted.

II.

WHEREFORE, Respondent respectfully asks that this Court relax the requirements of Rule 243(g), SCACR; permit Respondent to file a request for a thirty-day extension out of time; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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December 15, 2020