

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM WILLIAMSBURG COUNTY
In The Court of Common Pleas

Honorable Kristi Curtis,
Common Pleas Judge of the Third Judicial Circuit

Case No.: 2020-000083

Justin McBride, Petitioner,

v.

State of South Carolina, Respondent.

Petition to File Petition for Writ of Certiorari out of Time

Counsel would respectfully request a to file the Petition for Writ of Certiorari in the above-referenced case out of time. In support of this motion, counsel would respectfully show the Court the following:

1. The Petition for Writ of Certiorari was due to be filed on February 26, 2021.
2. Counsel calendared this for the wrong date.
3. This came to counsel's attention when notified by the clerk's office.
4. Currently Counsel has drafted the Petition for Writ of Certiorari and is working on proof reading and formatting the case. Counsel will be finished with this at some point today.
5. Counsel's father passed away on February 14, 2021. This family tragedy caused counsel to have to get several matters in state and federal court extended. As a

result, counsel has had several deadlines in the last few weeks. Moreover, the reopening of courts has cause Counsel to spend a great deal of time and attention to cases which likely will get called to trial next month.

6. This request is made in good faith, and not for purposes of delay.
7. Upon learning about the calendaring issue, Counsel contacted counsel for the State who indicated that she does not plan to oppose this request.

WHEREFORE, the undersigned counsel would respectfully request to file the Petition for Writ of Certiorari out of time. Counsel requests that the time limits for filing the Petition for Writ of Certiorari be held in abeyance pending a ruling on this motion.

March 9, 2021

s/ Tristan Shaffer
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