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Apr 12 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ON CERTIORARI TO LEXINGTON COUNTY  
Court of Common Pleas  
The Honorable Eugene C. Griffith, Jr., Post-Conviction Relief Judge

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Appellate Case No. 2017-001718

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WILLIAM BRUCE JUSTICE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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**MOTION FOR FIFTH EXTENSION TO FILE BRIEF OF RESPONDENT**

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Respondent, the State, moves this Court for an additional thirty-day extension of time in which to file the Brief of Respondent, **up to and including May 12, 2021**. This is Respondent's fifth request for an extension of time in which to file the brief. In support of the request, undersigned counsel would respectfully show this Court:<sup>1</sup>

1. The Brief of Respondent is due to be filed with this Court on Monday April 12, 2021. The Court has granted Respondent four previous extensions.
2. This is the fifth request for an extension of time in which in which to file a response.
3. Counsel did not handle the case below and was assigned the case after this

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<sup>1</sup> 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).

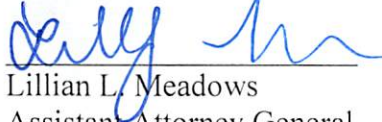
Court granted certiorari. Accordingly, based on the issues raised, Counsel has spent a significant amount of time researching and reviewing the record.

4. Over the past month, Counsel has filed a Return to the Petition for Writ of Certiorari in Gonzales Wardlaw v. State. (2020-000730).
5. Counsel has filed Returns in the Circuit Court for Robbie Gregg v. State (2020-CP-04-01232); Charlie Wood v. State (2019-CP-04-02156); and Daryl Leon Gray v. State (2019-CP-04-02153).
6. Counsel has drafted and submitted a proposed Conditional Orders of Dismissal in the Circuit Court for Robbie Gregg v. State (2020-CP-04-01232); Charlie Wood v. State (2019-CP-04-02156); and Daryl Leon Gray v. State (2019-CP-04-02153).
7. Since Counsel's last request for an extension, Counsel has been preparing to represent Respondent in a Post-Conviction Relief term being held in the 11<sup>th</sup> Circuit on April 26–30<sup>th</sup>, 2021, before the Honorable Debra R. McCaslin. Because this will be the first Post-Conviction Relief term in the 11<sup>th</sup> Circuit holding in-person hearings since before the COVID-19 pandemic, Counsel has been diligently working with SCDC and the presiding judge on logistical issues associated with preparing the roster.
8. Greater specificity as to the undersigned's workload can be provided upon request.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned is currently working on the brief and hopes to have it completed shortly. The undersigned therefore requests an extension of time within which to serve and file the brief.

THEREFORE, undersigned counsel for Respondent respectfully requests a **fifth and final thirty-day extension** until **Tuesday, May 12, 2021**, in which to complete and file the Brief of Respondent based upon the above exigent circumstances. Counsel for Petitioner has graciously consented to this extension request by way of interagency agreement between Appellate Defense and Respondent.

Respectfully submitted,



Lillian L. Meadows  
Assistant Attorney General  
S.C. Bar # 103665  
Attorney for Respondent

**We concur that extraordinary circumstances  
have been shown**

s/ Megan Harrigan Jameson

MEGAN HARRIGAN JAMESON  
Senior Assistant Deputy Attorney General



DONALD J. ZELENKA  
Deputy Attorney General

This 12<sup>th</sup> day of April, 2021

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**PROOF OF SERVICE**

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Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the motion for fourth extension to file the Brief of Respondent has been served upon opposing counsel, Taylor D. Gilliam, Esquire, by sending to opposing counsel's primary e-mail address as listed in the Attorney Information System (AIS):

**Taylor D. Gilliam, Esquire**  
**tgilliam@sccid.sc.gov**

This 12<sup>th</sup> day of April, 2021.

  
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