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May 12 2021

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Williamsburg County
The Honorable Kristi Curtis, Circuit Court Judge

McBRIDE, JUSTIN

Respondent,

vs.

STATE OF SOUTH CAROLINA,

Appellant.

Appellate Case No. 2020-000083

PETITION TO RELAX RULE 243(g), SCACR

Respondent, through its undersigned counsel would respectfully request for this Court to relax its timelines and grant Respondent's first extension request to file the return to the petition for writ of certiorari in this PCR matter.

I.

Pursuant to this Court's order, the return to the petition for writ of certiorari was due on April 26, 2020. Due to an oversight by our office, our office failed to send out an extension request on that date. Due to work required in in other cases pending before this Court and the Court of Appeals, undersigned counsel is unable to complete the return on time. Therefore, Respondent is respectfully requesting an extension of thirty days in this matter.

II.

As a result of this error, the State respectfully requests this court to relax the requirements of Rule 243(g), SCACR and grant Respondent its first extension request pursuant to Rule 263(b), SCACR. Undersigned counsel has contacted opposing counsel, Tristan M. Schaffer, Esquire, who has graciously indicated that he consents to the Respondent's request.

III.

Therefore, Respondent would respectfully request all timelines be held in abeyance while this Court considers the Respondent's motion

IV.

WHEREFORE, Respondent prays that this Court grant the State's motion to relax and grant the State an extension of thirty days to file its return to petition for writ of certiorari.

Respectfully submitted,

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