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May 20 2022

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO ORANGEBURG COUNTY
Court Of Common Pleas
The Honorable Kristi Lea Harrington, Circuit Court Judge

Appellate Case No.: 2021-000975

Lindy Lamont Jones,

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 AND RESPONDENT'S RETURN TO PETITION FOR WRIT
OF CERTIORARI PURSUANT TO AUSTIN V. STATE OUT OF TIME
AND RESPONDENT'S FIRST EXTENSION REQUEST**

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

I.

Respondent's Return to Petition for Writ of Certiorari and Respondent's Return to Petition for Writ of Certiorari Pursuant to Austin v. State in the above-captioned matter was due to be filed and served on May 19, 2022. However, due to a calendaring error, the due date was designated on Respondent's calendar as today, May 20, 2022. Respondent therefore requests that the rules be

relaxed in order to file a first thirty-day extension in which to prepare and submit its Return to Petition for Writ of Certiorari and Return to Petition for Writ of Certiorari Pursuant to Austin v. State. 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; grant Respondent’s request for a first thirty-day extension request; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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May 20, 2022