

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Beaufort County
The Honorable Thomas W. Cooper, Jr., Circuit Court
Appellate Case No. 2012-213691

THE STATE,

v.

KENNETH S. WILLIAMS,

RESPONDENT,

APPELLANT.

RECEIVED

MAY 29 2013

S.C. Supreme Court

**PETITION FOR THIRD EXTENSION OF TIME TO FILE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Return to Petition for Writ of Certiorari in the above-referenced case. This is Respondent's third extension request. Respondent's Return is due to be served and filed today, May 29, 2013, this Court having granted Respondent's second request for an extension filed on April 30, 2013.

Pursuant to the Supreme Court's Order dated March 18, 2009, the undersigned counsel for Respondent has been scheduled for a number of state and federal matters in the last thirty (30) days, that include, but are not limited to, the following:

1. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Lamar A. Graves, #272024 vs. Warden, Allendale C.I., C/A No. 0:12-3574-GRA-PJG* on April 29, 2013;

2. Counsel prepared Respondent's Response Opposing Motion to Compel [Doc. #45] in the matter of *Marrion Franklin, #222409 aka Marion Franklin vs. Michael McCall, Warden, C/A No. 8:12-2331-GRA-JDA*, also on April 29, 2013;

3. Counsel prepared Respondent's Response in Opposition to Motion for Relief from Judgment in the matter of *David Ceasar, #217220 vs. A. Padula, Warden, C/A No.: 0:12-316-MGL-PJG* on May 1, 2013;

4. Counsel was out of the office on sick leave on Friday, May 3, 2013 and Monday, May 6, 2013;

5. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Theodore Davis, Jr., #217549 vs. Warden, BRCI, C/A No. 0:13-109-DCN-PJG* on May 8, 2013;

6. Counsel prepared the Final Brief of Respondent in the Spartanburg County direct appeal matter of *The State vs. Charvus Tarrel Nesbitt* on May 15, 2013;

7. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Joseph G. Heyward, #238182, a/k/a Joseph George Heyward vs. Warden of Ridgeland Correctional Institution, C/A No. 2:13-0340-DCN-BHH* on May 16, 2013;

8. Counsel prepared the Initial Brief of Respondent in the Charleston County murder appeal matter of *The State vs. Gregory Gathers* on May 28, 2013;

9. Counsel also prepared Respondent's Response Opposing Motion for Appointment of Counsel in the matter of *Lamar A. Graves, #272024 vs. Warden, Allendale C.I., C/A No. 0:12-3574-GRA-PJG* also on May 28, 2013; and

10. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Frank Furtick, #231663 vs. Warden of Lee*

Correctional Institution, C/A No. 8:13-79-MGL-JDA which is currently due on June 7, 2013.

I am informing opposing counsel of my request by service of two copies of this Petition. The thirty (30) day extension requested will make the Return to Petition for Writ of Certiorari due on June 28, 2013. I understand the desire of the Court and Petitioner's counsel for a speedy resolution of this case, but I reasonably believe this extension is essential to allow me to complete the Return to Petition for Writ of Certiorari with reasonable effectiveness.

Respectfully submitted,

ALAN WILSON
Attorney General

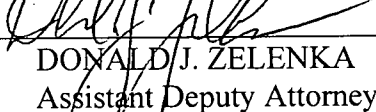
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BY: 
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Assistant Deputy Attorney General

I support the finding of good cause.

ATTORNEYS FOR RESPONDENT

May 29, 2013.

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PROOF OF SERVICE

I, William Edgar Salter, III, do hereby certify that on this date, I served the *Petition for Third Extension of Time to File Return to Petition for Writ of Certiorari* in the foregoing action on counsel for the Petitioner by depositing two (2) copies of the same in the United States mail, first-class, postage prepaid, and addressed as follows:

Susan B. Hackett, Esq.
SCCID-Division of Appellate Defense
1330 Lady St., Ste. # 401
Columbia, SC 29201-3332

This 29th day of May, 2013.

By: 

ATTORNEYS FOR RESPONDENT