

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County
Knox McMahon, Circuit Court Judge

RECEIVED

AUG 12 2013

S.C. Supreme Court

KEITH SIMS,

PETITIONER,

v.

THE STATE,

RESPONDENT.

**UNOPPOSED PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI**

The undersigned counsel would respectfully request a **final two-week** extension in which to file the Petition for Writ of Certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The Petition for Writ of Certiorari this case are due to be served and filed today having been extended one prior time since Counsel was appointed.

2. Counsel intended to file the Petition for Writ of Certiorari today on two meritorious issues. However, yesterday Counsel spoke to Petitioner via phone, Petitioner persuaded Counsel to brief an additional issue. Therefore, Counsel is requesting a two week extension so that Counsel may brief the additional issue.

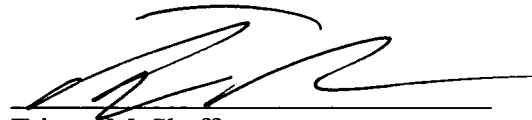
3. From July 22nd until July 25th, Counsel appeared before the Honorable Thomas Russo in the murder trial of State v. Steven Otts. On August 5, 2013, Counsel was scheduled to begin¹ another murder trial in Richland County. On August 6, 2013, Counsel filed a Petition for Rehearing in the case of In the matter of Marie Assa'ad-Faltas. Counsel was also preparing for a complex PCR case in Lexington County that is scheduled for August 14, 2013.

4. This request is made in good faith, and not for purposes of delay.

5. Counsel has spoken with counsel for the State, Megan Harrigan. Ms. Harrigan does not oppose this request and has authorized Counsel to indicate this to the Court.

WHEREFORE, the undersigned counsel would respectfully request a **final two-week** extension in which to file the Petition for writ of Certiorari in this case. Counsel requests that the time limits for filing the Petition for writ of Certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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August 12, 2013

¹ The trial of this case was stayed pursuant to Rule 205, SCACR and *State v. Duncan*, 392 S.C. 404; 709 S.E.2d 662 (2011).