

STATE OF SOUTH CAROLINA  
In The Supreme Court

**RECEIVED**

JUN 25 2012

CERTIORARI TO LEXINGTON COUNTY  
Court of Common Pleas

The Honorable William P. Keesley, Circuit Court Judge

**S.C. Supreme Court**

Appellate Case No. 2011-195346

Dan Williams, II,.....Petitioner,

v.

State of South Carolina, .....Respondent.

**MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE RETURN TO  
PETITION FOR WRIT OF CERTIORARI**

Counsel for Respondent respectfully requests a fourth extension of thirty (30) days in which to file the Return to Petition for Writ of Certiorari in the above-captioned case. In support of this motion, Respondent would present the following facts:

1. After the State called the case to trial, Petitioner was found guilty of distribution crack cocaine, third offense (2006-GS-23-0470). On April 4, 2007, the Honorable R. Knox McMahon sentenced Petitioner to twenty-one years imprisonment.

2. A notice of appeal was filed at the South Carolina Court of Appeals and perfected as an Anders brief. The Court of Appeals dismissed the appeal. State v. Williams,

Op. No. 2009-UP-486 (S.C. Ct. App. filed Oct. 15, 2009).

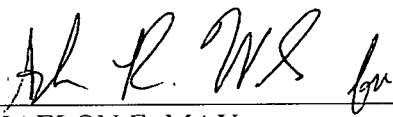
3. Petitioner filed an application for post-conviction relief on December 7, 2009 (2009-CP-23-5487). An evidentiary hearing was convened on May 18, 2011. The Honorable William P. Keesley denied relief in an order dated July 1, 2011.

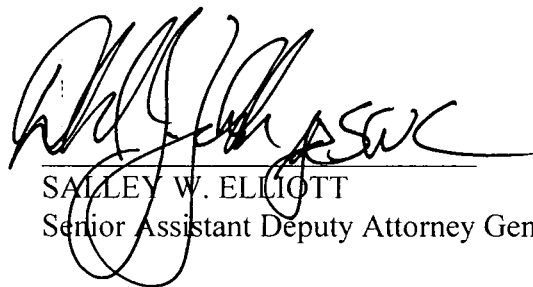
4. The Petition for Writ of Certiorari and Appendix in this case were filed on February 2, 2012.

5. Counsel for Respondent requests a fourth extension in which to file the Return to Petition for Writ of Certiorari. This request is not intended for the purpose of delay. Rather, this request is necessitated by my workload. In the past calendar month, I have filed Returns to Petitions for Writ of Certiorari in Michael Murray v. State (Appellate Case No. 2011-182626) and Timothy Blassingame v. State (Appellate Case No. 2011-196572). I have also drafted numerous pleadings and proposed orders. In addition, I prepared for and represented the State at a term of post-conviction relief court in the Tenth Judicial Circuit.

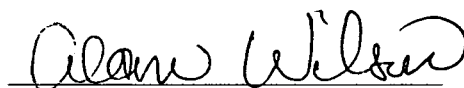
WHEREFORE, counsel for Respondent requests this Court grant its motion for a thirty (30) day extension in which to file the Return to Petition for Writ of Certiorari.

Respectfully submitted,

  
KAELOE E. MAY  
Assistant Attorney General

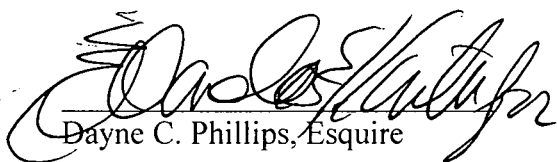


SALLEY W. ELLIOTT  
Senior Assistant Deputy Attorney General



ALAN WILSON  
Attorney General

I CONSENT:



Dayne C. Phillips, Esquire

June 25, 2012