

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM HORRY COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable Benjamin H. Culbertson, Circuit Court Judge

Case No. 2011-CP-01-110
Appellate Case No. 2014-000904

CAPITAL CASE

Louis Michael Winkler Jr., Respondent-Petitioner

v.

State of South Carolina, Petitioner-Respondent

**RESPONDENT-PETITIONER'S MOTION
FOR EXTENSION OF TIME
TO FILE PETITION FOR WRIT OF CERTIORARI**

Respondent-Petitioner, Louis Winkler, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant an extension of time for 30 days to file the Petition for Writ of Certiorari presently due for filing on August 4, 2014. The reasons for this motion are as follows:

1. Undersigned counsel received a complete copy of the Appendix from Petitioner-Respondent on July 3, 2014, making Respondent-Petitioner's Petition for Writ of Certiorari due on August 4, 2014. Respondent-Petitioner has begun work on the Petition, but requires additional time due to a heavy caseload and the complex nature of this matter.

2. In the past thirty days, Ms. Paavola has been working on investigation and case preparations for *Bell v. South Carolina* and *Stanko v. South Carolina*, both capital post-conviction relief proceedings. Moreover, counsel has been working on briefing for *Binney v. South Carolina* and *Simmons v. South Carolina*, both capital cases pending before this Court, as well as *Mercer v. Byars*, a capital habeas matter pending in the federal district court. Finally, Ms. Paavola has been out of the office this past week due to a health issue and is expected to remain out for at least an additional week.

3. In the past thirty days, Mr. Mills has been working on investigation and case preparations for *State v. Rose*, an Arizona capital post-conviction relief proceeding. Moreover, counsel has filed merits briefing in *People v. Hidalgo*, *State v. Lockhart*, *State v. Williford*, and *State v. Williams*, cases before the courts of appeal in California and North Carolina. Counsel also prepared petitions for writ of certiorari before the United States Supreme Court in the litigation associated with John Middleton's execution in Missouri.

4. Finally, Mr. Winkler's case concerns complex factual and legal issues that require thorough record review, research and analysis. Undersigned counsel reasonably believes that an extension is needed to thoroughly and accurately brief the issues in this case.

THEREFORE, for the reasons stated above, Respondent-Petitioner respectfully submits that an extension of time is warranted for good cause and requests thirty days, thus making the Petition for Writ of Certiorari due on September 3, 2014.

Respectfully submitted,

JOHN R. MILLS

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August 4, 2014

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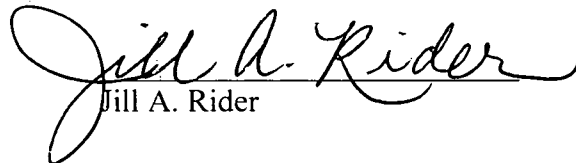
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Respondent-Petitioner's Motion for Extension of Time was served by first class United States mail, postage prepaid, this 4th day of August, 2014, upon the following:

Alphonso Simon
Assistant Attorney General
P.O. Box 11549
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Jill A. Rider