

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. Supreme Court

Appeal from Greenville County
G. Edward Welmaker, Circuit Court Judge

CHARLES CHRISTOPHER WILLIAMS,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

Appellate Case No. 2013-001945

**MOTION TO ENLARGE TIME FOR
FILING RETURN TO PETITION
FOR WRIT OF CERTIORARI**

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The Respondent, above-named, by and through the undersigned attorneys, would respectfully move this Court for a final thirty (30) day extension of time within which to file its Return from November 21, 2014 up to and including December 21, 2014. Opposing counsel Derek Enderlin has advised counsel that he has no objection to this request. Counsel for Respondent has not been able to complete the Return within the allotted time for the following reasons :

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Counsel for Respondent has also been working on a drafts of the prioritized Return to Petition for Writ of Certiorari in Charles Williams v. State, currently due on November 21, 2014. Further, a meeting with a group supporting the amicus effort of the Petitioner has been scheduled prior to the projected due date of the Return.

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Since the last request, below signed counsel participated in the death penalty federal habeas corpus action of Bayan Aleksey v. Warden held on October 22, 2014 before Judge Michelle Childs in Columbia; prepared for a death penalty post-conviction relief hearing and witness preparation including attending a deposition of prior counsel held on October 28, 2014, on October 29, 2014 traveled to Spartanburg for an appointment hearing before Judge Mark Hayes in the death penalty PCR case of John Wood v. State; on October 29, 2014 attended an informal conference with a trial counsel and her attorney in preparation for the November 17, 2014 evidentiary hearing in Quincy Allen v. State; on November 3, 2014 filed an Initial Brief of Respondent in State v. Antonio Gordon; on November 5, 2014 filed a federal habeas return and memorandum of law in Kevin King v. Warden; on November 5, 2014 electronically filed the entire state court record in the death penalty federal habeas corpus case of Bayan Aleksey v. Warden pursuant to court order; on November 4, 2014 attended a conference with South Carolina Supreme Court and representatives of Attorney General's Office and Appellate Defense concerning general appellate matters; on November 6, 2014 filed Final Brief of Respondent in State v. Frank Singleton; on November 10, 2014 filed a Return and Memorandum of Law in support of summary judgment in the federal habeas corpus matter of Terrance Greene v. Warden; on November 10, 2014 filed a Final Brief of Respondent in State v. Roderquiz Cook; on November 13, 2014 attended witness preparation meeting in Quincy Allen v. State PCR hearing out of office; began preparation in federal habeas corpus return in Norma Hall v. Warden initially due on November 17; prepared and participated in death penalty PCR evidentiary hearing in Quincy Allen v. State on November 17-18, 2014 in Richland County before Judge Cothran; prepared and filed a petition for rehearing in State v. Daniel D. Jackson in the Court of Appeals on November 20, 2014; scheduled for a conference call meeting on

November 21, 2014.

Below-signed counsel has presently due for the following month the following court ordered matters: on December 1, 2014 a Return to a Petition for Writ of Certiorari in State v. Victor White in the South Carolina Supreme Court; on December 1, 2014, a court ordered Supplemental Return James Bowers v. Warden to Judge Gergel; on December 1, 2014 a federal habeas corpus Return in Michael Johnson v. Warden; on December 3, 2014 a federal habeas corpus Return in Joshua Monroe v. Warden (extended once); on December 15, 2014 a federal habeas corpus return in Tyrone Singletary v. Warden (extended once); on December 15, 2014 a federal habeas corpus return on Fred Downer v. Warden; on December 17, 2014 a federal habeas return in Norma Hall v. Warden (extended twice); on December 17, 2014 a federal habeas corpus return in William Owens v. Warden (extended once); on December 12, 2014 a death penalty PCR Return to Certiorari in Sammie Stokes v. State.

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83.
Counsel has established the following highest priorities to prevent further need of an extension in this matter :

1. Death penalty PCR appeal Return to Certiorari in Charles Williams v. State projected due on December 21, 2014.
2. State v. Victor White – Return to Certiorari – SCSCCT – due December 1, 2014 (pursuant to recent court-order).
3. James Bowers v. Warden – Court Ordered Supplemental Return due December 1, 2014.
4. Sammie Stokes v. State - Death Penalty PCR Certiorari Return – due December 12, 2014.

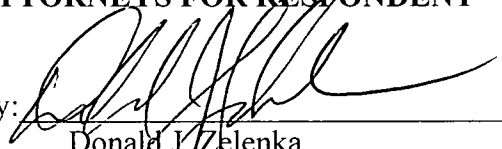
5. Marion Lindsey v. State – resolution of Order of Dismissal on remand – Judge Paul Burch.
6. Follow-up on scheduling requests in John Wood v. State (Judge Hayes – November 21, 2014); Ronald Finklea v. State (Judge Keesley); William Bell v. State (Judge McIntosh); Jerry Inman v. State (Judge Macaulay).
7. Preparation and assistance in oral argument in Kamel Evans v. State on December 9, 2014 and Jonathan Binney v. State on December 11, 2014.

Wherefore Respondents respectfully request an extension of a period of thirty days up to and including December 21, 2014 to complete this Return to the Petition for a Writ of Certiorari.

Respectfully submitted,

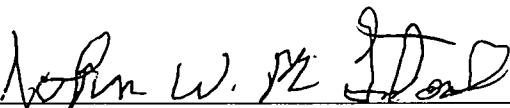
DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

ATTORNEYS FOR RESPONDENT

By: 
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November 21, 2014

I concur that extraordinary circumstances have been shown to this request.


John W. McIntosh
Chief Deputy Attorney General

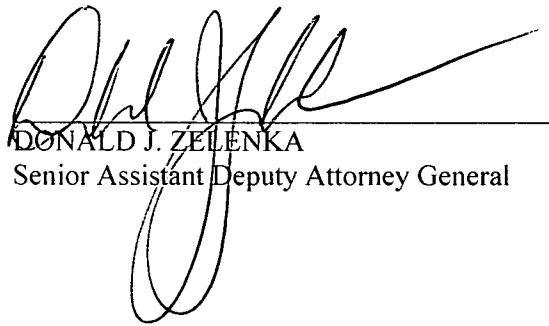
CERTIFICATE OF SERVICE

I, Donald J. Zelenka, hereby certify that I have served the Motion to Enlarge Time for Filing Return to Petition for Writ of Certiorari in the foregoing action by depositing copy in the United States

Mail to:

Mr. Derek J. Enderlin
Ross and Enderlin, PA.
330 East Coffee Street
Greenville, South Carolina 29601

This 21nd day of November, 2014.



DONALD J. ZELENKA
Senior Assistant Deputy Attorney General