

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT
Certiorari to Orangeburg County
L. Casey Manning, Circuit Court Judge

RECEIVED

FEB 17 2015

S.C. Supreme Court

SAMMIE LOUIS STOKES,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000635

**RESPONDENT'S MOTION TO EXTEND TIME TO FILE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

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The Respondent, above-named, hereby make a third motion to the Court to extend the time of filing the Return to Petition for Writ of Certiorari until March 19, 2015. The Return to Petition for Writ of Certiorari in the above action is due to be filed February 16, 2015. This motion is made because the Respondent has not been able to respond within the allotted time for the following reasons:

1. Counsel for the undersigned has had a number of other commitments in State and Federal court that have precluded timely completion of the Return. In the last month, below-signed counsel below-signed counsel was primarily handling a death penalty PCR appeal in the completion of a 168 page certiorari return Charles C. Williams v. State January 30, 2015. In

in addition, counsel filed a number of filings in state and federal court including a motion in State v. Jeremy McMillian; a Brief of Respondent with the Solicitor's office in the S.C. Supreme Court in State v. Manuel Marin; a federal habeas return and memorandum on January 14, 2015 in Fred Downer v. Warden; a federal habeas return and memorandum Tyrone Singletary v. Warden on January 14, 2015; an oral argument in the death penalty PCR appeal before the South Carolina Supreme Court in John Hughey v. State on January 15, 2015; a federal habeas corpus return and memorandum in William Owens v. Warden on January 16, 2015; a petition for writ of certiorari in the direct appeal in State v. Daniel D'Angelo Jackson on January 23, 2015 and the death penalty PCR certiorari return of 168 pages in Charles C. Williams v. State on January 30, 2015; oral argument in the Court of Appeals in State v. Keith Letmon on February 3, 2015; court ordered response in the Court of Appeals in Alfonso Ware v. State on February 6, 2015; return and memorandum of law in Douglas Thompson v. Warden on February 6, 2015 and assisted in a Petition for Writ of Certiorari filed in the U.S. Supreme Court on February 9, 2015 in Aiken et. al. v. Byars; on February 9, 2015 made a Response to a Status Report in the federal habeas matter of Joshua Jeter v. Warden; on February 11, 2015 filed a Brief of Respondent in the South Carolina Court of Appeals in Herman L. Hughes v. State, on February 13, 2015 filed a Response to Petition for Court Oversight of Capital PCR Action in the South Carolina Supreme Court in Stephen Stanko v. State and on February 17, 2015 filed a Return and Motion for Sanctions in Christopher Lane v. South Carolina in the original jurisdiction of the South Carolina Supreme Court.

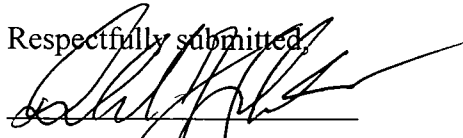
2. Counsel has contacted the office of opposing counsel, Chief Appellate Defender Robert M. Dudek, and he consents to this request on behalf of his client.

Wherefore Respondents respectfully request an extension of a period of thirty days up to and including March 19, 2015 to complete the Return to Petition for Writ of Certiorari upon a

showing of good cause for the request.

February 17, 2015

Respectfully submitted,



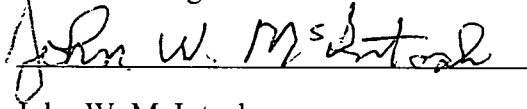
Donald J. Zelenka

Senior Assistant Deputy Attorney General

S.C. Bar # 5758

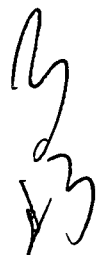
Attorney for Respondent

I concur that good cause has been shown



John W. McIntosh

Chief Deputy Attorney General



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RESPONDENT

APPELLATE CASE NO. 2013-000635

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to extend time to file the State's Return to Petition for Writ of Certiorari in the above referenced case has been served upon counsel for Petitioner by depositing one copy of same in the United States Mail, postage prepaid, to each attorney, addressed as follows:

Keir M. Weyble, Esquire
158-B Myron Taylor Hall
Cornell Law School
Ithaca, NY 14853

Robert M. Dudek, Esq.
Chief Appellate Defender
SCCID/Division of Appellate Defense
PO Box 11589
Columbia, SC 29211

This 17th day of February, 2015



Donald J. Zelenka
Senior Assistant Deputy Attorney General
Attorney for Respondent