

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Calhoun County
Doyet A. Early, III, Circuit Court Judge

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APR 8 2015

S.C. Supreme Court

MIKAL D. MAHDI,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

Appellate Case No. 2014-002131

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

The Respondent, above-named, by and through the undersigned attorneys, would respectfully move this Court for a thirty (30) day extension of time within which to file its Return from April 8, 2015 up to and including May 8, 2015. This is an appeal from the PCR Court. Counsel for Respondent has not been able to complete the Return within the allotted time for the following reasons:

- (A) Stanko v. State (Capital PCR)(Stanko II.) preparation for trial *March 2, 2015* before the Honorable Benjamin Culbertson- including discovery responses to Applicant's attorneys, various motions, interviewing witnesses, subpoenaing witnesses, and depositions [the trial took place on March 2-3, 2015, but due to bereavement leave [mother], Mr. Zelenka handled this trial for Respondent's attorney];

- (B) Stanko v. State (Stanko I)(Capital PCR)(Judge Jeffrey Young) Preparation for trial *April 27, 2015*, including deposition on **March 12, 2015**, in Myrtle Beach;
- (C) State v. Lakeithon Hall (Final Brief of Respondent) **filed March 10, 2015 in S.C. Court of Appeals;**
- (D) Orlando Shiver v. Warden (Federal Habeas Return) **filed March 11, 2015 in U.S. District Court;**
- (E) Mason Johnson v. Warden (Federal Habeas Return) **filed March 19, 2015 in U.S. District Court;**
- (F) Review of Orders denying federal habeas petitions, Reports and Recommendations, and *pro se* filings;
- (G) Glenn Pernell v. Warden, (Federal Habeas Return) **filed April 6, 2015 in the U.S. District Court (approximately 85 pages);**
- (H) Ivan Lee v. Warden (Federal Habeas Return) Amended Return and Amended Motion for Summary Judgment **filed in U.S. District Court on March 6, 2015;**
- (I) Cobbert v. Warden (Federal Habeas Matter) Amended Motion for Summary Judgment **filed in U.S. District Court on March 6 2015;**
- (J) State v. Stephen Otts (IBOR) (Murder) in process (reviewing transcript);
- (K) Donovan Murray v. Stevenson (Federal Habeas Return) **filed April 1, 2015 in the U.S. District Court;**
- (M) State v. Marcus Dwain Wright (Final Brief of Respondent) **filed March 26, 2015 in the S.C. Court of Appeals;**
- (N) State v. Antonio Miller (Return to Petition for Writ of Certiorari) **filed in the S.C. Supreme Court on March 27, 2015;**
- (O) State v. Kelvin Jackson (Murder)(Initial Brief of Respondent) **in process, and expected to be filed next week;**
- (P) Johnnie Jones v. Warden (Federal Habeas Return) **to be filed Friday, April 10, 2015;**
- (Q) Rayshawn Pearson v. Warden (Federal Habeas Return)(Murder and Armed Robbery, **in process;**

and other matters.

By copy of this motion, counsel are informing opposing counsel of the request. This is a 2nd extension request.

For good cause shown, Respondent requests a thirty (30) day extension to file the Return to Petition for Writ of Certiorari in this matter.

Respectfully submitted,

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By: 

Anthony Mabry

April 8, 2015

CERTIFICATE OF SERVICE

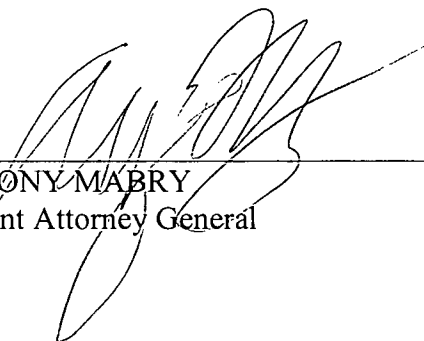
I, **Anthony Mabry**, hereby certify that I have served the Motion to Enlarge Time for Filing Return to Petition for Writ of Certiorari in the foregoing action by depositing copy in the United States Mail to:

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This 8th day of April, 2015.



ANTHONY MABRY
Assistant Attorney General