

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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

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**RECEIVED**

JUN 11 2015

**MIKAL D. MAHDI,**

Petitioner,

**S.C. SUPREME COURT**

v.

**STATE OF SOUTH CAROLINA,**

Respondent.

Appellate Case No. 2014-002131

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**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 thirty (30) day extension of time within which to file its Return from June 8, 2015 up to and including July 8, 2015. This is an appeal from the PCR Court, not the Court of Appeals. Counsel for Respondent has been working on this Return; and completed *a majority of this Return*; however, counsel not been able to complete the Return within the allotted time for the following reasons:

- (A) This is an appeal of the denial of a capital PCR application by the Circuit Court of Common Pleas. As a result, Respondent must address the guilty plea and sentencing proceeding *and* what occurred at the PCR proceeding;

- (B) Respondent has also been involved in other matters that have prevented timely filing of the Return to Petition for Certiorari, two wit:
- (1) Preparation for and Oral Argument before this Court on State v. Antonio Scott, **argument held June 3, 2015**;
  - (2) Stanko v. State (Stanko I.)(**Capital PCR**)(Judge Jeffrey Young) Preparation for and trial April 27-28 2015, and **preparation of Proposed Order of Dismissal** after the hearing, *currently in process*;
  - (3) Mathews v. Lavern Cohen, Warden (Federal Habeas Return) **filed June 5, 2015 in U.S. District Court**;
  - (4) State v. Kelvin Jackson (Final Brief of Respondent) (Murder) **filed May 28, 2015 in the S.C. Court of Appeals**;
  - (5) Grant v. Mauney (Federal Habeas Return) **filed May 27, 2015 in U.S. District Court**;
  - (6) Christopher Johnson v. McFadden (Federal Habeas Return) **filed May 26, 2015 in U.S. District Court**;
  - (7) Corey Larkin v. Stevenson (Federal Habeas Return) **filed May 21, 2015 in U.S. District Court**;
  - (8) Minor v. Cartledge (Federal Habeas Return) **filed May 19, 2015 in U.S. District Court**;
  - (9) Adarius Dennis v. Cartledge (Federal Habeas Return) **filed May 13, 2015 in U.S. District Court**;
  - (10) State v. Kareem Harry (Murder Appeal) Preparation for and oral argument which was held on **May 5, 2015 in the S.C. Court of Appeals**;
  - (11) William O. Dickerson v. State (Capital PCR) attendance on behalf of Respondent for **motion hearing held on May 8, 2015 before Judge G. Thomas Cooper**;
  - (12) State v. Steven Otts (Initial Brief of Respondent) (Murder) **filed May 8, 2015, in the S.C. Court of Appeals (4 issues)**;;
  - (13) State v. Antonio Collins (Initial Brief of Respondent) (Murder) **in process with a majority of the brief completed**;
  - (14) Duval Cooper v. Warden (Federal Habeas Return) **in process with**

**approximately one-half of the Return completed;**

(15) Hayes v. S.C. Dept. of Corrections (Federal Habeas Corpus) Legal Research and Preparation of Objection to Report and Recommendation of U.S. Magistrate Thomas E. Rogers granting conditional relief. **(in process, and planned to be filed next week);**

(16) And, other matters, including review of many federal habeas filings including Reports and Recommendations, Orders of the Court, and *pro se* filings:

Respondent now has another attorney assisting him on completion of this Return to Certiorari.

By copy of this motion, Respondent is informing opposing counsel of this extension request. This is a 4th extension request.

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

Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

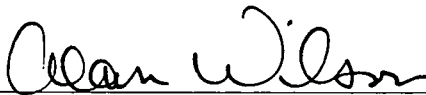
J. ANTHONY MABRY  
Assistant Attorney General

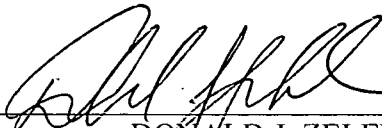
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By: \_\_\_\_\_

Anthony Mabry

We agree that extraordinary circumstances have been shown.

  
ALAN WILSON  
Attorney General

  
DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

June 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:

Seth C. Farber (*pro hac vice*)  
Winston & Strawn, LLP  
200 Park Avenue  
New York, NY 11006

Brandon W. Duke (*pro hac vice*)  
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1111 Louisiana Street  
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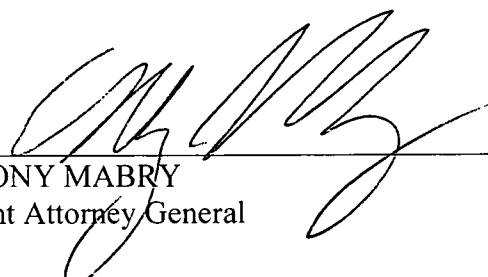
Teresa L. Norris, Esquire  
Blume Norris & Franklin-Best, LLC  
900 Elmwood Avenue, Suite 101  
Columbia, SC 29201

**RECEIVED**

JUN 11 2015

**S.C. SUPREME COURT**

This 8<sup>th</sup> day of June, 2015.

  
\_\_\_\_\_  
ANTHONY MABRY  
Assistant Attorney General