

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. Supreme Court

APPEAL FROM CALHOUN COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 09-CP-09-164

Mikal D. Mahdi, #5238,Petitioner,

v.

State of South Carolina,Respondent.

MOTION FOR EXTENSION OF TIME
TO FILE REPLY TO THE STATE'S RESPONSE TO THE
PETITION FOR WRIT OF CERTIORARI

Petitioner, Mikal D. Mahdi, a death-sentenced inmate requests an extension of time of 30 days to file his reply to the State's response to the Petition for Writ of Certiorari, which is currently due on July 20, 2015. In support of this motion, Petitioner respectfully submits the following:

1. This is a capital case. Mahdi pled guilty to murder, second degree burglary, and grand larceny in Calhoun County. He was sentenced to death on December 8, 2006 by The Honorable Clifton Newman. He was also sentenced to 15 years for burglary and 10 years for grand larceny. This Court affirmed. *Mahdi v. State*, 383 S.C. 135, 678 S.E.2d 807 (2009). Mahdi filed an Application for Post-Conviction Relief (PCR) on August 18, 2009, prior to the appointment of PCR counsel. The PCR application was amended three times with the assistance

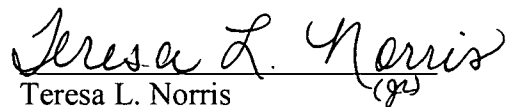
of counsel, with a Final Application filed on March 3, 2011. An evidentiary hearing was held on March 9 to 11, 2011. On December 18, 2012, The Honorable Doyet A. Early, III, issued an Order of Dismissal, filed January 8, 2013, denying and dismissing the allegations of the Final Amended Application with prejudice. The State subsequently filed a Rule 59(e), SCRPC, Motion to Alter or Amend the Judgment. On August 18, 2014, Judge Early granted the State's Rule 59 Motion and entered an Amended Order of Dismissal, filed August 20, 2014, denying and dismissing the allegations of the Final Application with prejudice. Following the denial of Mahdi's Motion to Alter or Amend the Judgment, a notice of appeal was timely filed in this Court on October 8, 2014.

2. Mahdi's 27-page petition was filed on January 5, 2015. The State's 65-page response was filed on July 9, 2015.

3. Mahdi requests an additional 30 days to reply for several reasons. First, counsel has other professional duties to complete. Second, the state's response is 65 pages. In order to adequately research and address all of the state's arguments additional time is necessary.

WHEREFORE, Mahdi requests that this Court grant an extension of 30 days to file the reply, which will make the reply due on August 19, 2015.

July 9, 2015


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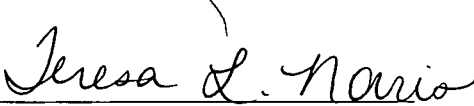
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PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time by depositing a copy of it in the United States Mail, postage prepaid, on July 9, 2015, addressed to Respondent's counsel of record, Anthony Mabry, Assistant Attorney General, Post Office Box 11549, Columbia, SC 29211.

July 9, 2015


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