

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

CERTIORARI TO THE COURT OF APPEALS
Appeal from Edgefield County
Court of Common Pleas
William P. Keesley, Circuit Court Judge

AUG 10 2015

S.C. SUPREME COURT

Opinion No. 2015-UP-174 (S.C. Ct. App. filed April 1, 2015)

Appellate Case No. 2015-001342

TOMMY S. ADAMS, #311901 Respondent,

v.

STATE OF SOUTH CAROLINA Petitioner.

MOTION FOR EXTENSION OF TIME

Respondent, Tommy S. Adams, through the undersigned counsel, requests an extension of time of ten (10) days in order to file his Response to the State's Petition for Writ of Certiorari. The response is currently due on August 5, 2015. Good cause exists for this extension, as follows.

1. Adams, was convicted in Edgefield County, South Carolina, of lewd acts on a child and criminal sexual conduct with a minor (1st degree). On October 14, 2005, he was sentenced consecutively to the maximum terms of 15 years for lewd acts and 30 years for criminal sexual conduct. The Court of Appeals affirmed.

2. Following post-conviction relief proceedings, Adams appealed. The Court of Appeals granted review to address the following issues.

- I. Was Adams denied the effective assistance of counsel during trial, in which the state's case relied on uncorroborated testimony of the alleged victim and irrelevant, inadmissible, and prejudicial testimony by a law enforcement officer, due to numerous instances of deficient and prejudicial conduct?
 - A. Failure to object to admission of Adams' statements that were neither relevant nor material to the crimes charged.
 - B. Failure to rebut the state's misrepresentation of the nature of Adams' statement.
 - C. Eliciting testimony from the police investigator that she believed the alleged victim and failing to move for a mistrial.
 - D. Advising Adams not to testify after informing the jury that he would testify, or, alternatively, failing to properly advise Adams at all with respect to whether he should testify.
- II. Was Adams denied the effective assistance of counsel during deliberations because counsel failed to object, failed to request that the jurors and bailiffs be questioned, and failed to request that the jurors be returned to court for proper instructions following improper communications between jurors and the bailiffs?

The Court, in its unpublished opinion, granted relief on Ground I.A. In light of that relief, the Court declined to address the remaining issues.

3. The State petitioned for writ of certiorari on July 6, 2015. The undersigned counsel has begun researching and drafting the Response but requests an extension of ten days in order to adequately complete the Response due to the complexity of the issues and the

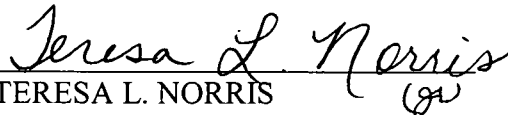
numerous factual and legal misstatements in the State's Petition for Writ of Certiorari. Additionally, the undersigned counsel's office moved on August 3, which required substantial time in packing and unpacking.

4. The extension of time is warranted in order to ensure that Appellant receives the adequate assistance of counsel.

Conclusion

Wherefore, for the foregoing reasons, Appellant requests an extension of ten (10) days, up to and including August 17, 2015.

Respectfully Submitted,


TERESA L. NORRIS

Blume Norris & Franklin-Best, LLC
900 Elmwood Avenue, Suite 200
Columbia, SC 29201
(803) 765-1044

Counsel for Mr. Adams

August 5, 2015.

RECEIVED

AUG 10 2015

THE STATE OF SOUTH CAROLINA
In The Supreme Court

CERTIORARI TO THE COURT OF APPEALS
Appeal from Edgefield County
Court of Common Pleas
William P. Keesley, Circuit Court Judge

S.C. SUPREME COURT

Opinion No. 2015-UP-174 (S.C. Ct. App. filed April 1, 2015)

Appellate Case No. 2015-001342

TOMMY S. ADAMS, #311901, Respondent,

v.

STATE OF SOUTH CAROLINA, Petitioner.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the Motion for Extension of Time has been served upon Petitioner's counsel by first class mail, postage prepaid, addressed to counsel of record, J. Walt Whitmire, Post Office Box 11549, Columbia, South Carolina 29211.

Teresa L. Norris
TERESA L. NORRIS (92)

Blume Norris & Franklin-Best, LLC
900 Elmwood Avenue, Suite 200
Columbia, S.C. 29201
(803) 765-1044

Counsel for Respondent

August 5, 2015