

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Georgetown County

Honorable W. Jeffrey Young, Circuit Court Judge, S.C. SUPREME COURT

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Appellate Case No. 2017-000211

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**RECEIVED**

SEP 12 2017

STEPHEN C. STANKO #6022,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

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PETITIONER'S MOTION FOR EXTENSION  
OF TIME TO FILE APPENDIX  
AND PETITION FOR WRIT OF CERTIORARI

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Petitioner, Stephen C. Stanko, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant an extension of time for thirty (30) days to file the Petition for Writ of Certiorari and the Appendix presently due for filing on September 15, 2017. The reasons for this motion are as follows:

1. Undersigned counsel was appointed to represent Petitioner in this appeal on March 24, 2017. Counsel then requested and collected all transcripts of hearings, and evidence admitted during, the post-conviction relief ("PCR") proceedings. Because undersigned counsel was not

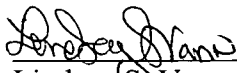
counsel for Petitioner in the lower court, counsel also reviewed the record from Petitioner's trial and PCR proceedings. Based upon this review, counsel have identified issues to be raised in the petition for writ of certiorari and are now drafting the petition and preparing the appendix.

2. In the time since counsel received a complete set of transcripts in this PCR action, undersigned counsel have also filed a response to motion for summary judgment in the federal habeas proceedings of another capital case, *Richard Moore v. Stirling*, No. 4:14-cv-4691 (D.S.C), and has been conducting investigation and preparation for the capital trial of *State v. Jerome Jenkins*.

3. Finally, Petitioner's case concerns complex factual and legal issues that require thorough record review, research, and analysis. Undersigned counsel reasonably believes that an extension is needed to thoroughly and accurately brief the issues in this case.

THEREFORE, for the reasons stated above, Petitioner respectfully submits that an extension of time is warranted for good cause and requests thirty days, thus making the Appendix and Petition for Writ of Certiorari due on or before October 15, 2017.<sup>1</sup>

Respectfully submitted,

  
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Lindsey S. Vann  
Emily C. Paavola  
Justice 360  
900 Elmwood Ave., Suite 200  
Columbia, SC 29201  
(803) 765-1044

September 12, 2017.

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<sup>1</sup> Undersigned counsel made multiple attempts to contact counsel for Respondent via email and telephone on the morning and afternoon of September 12, 2017 to determine if Respondent would consent to this extension request. As of the filing of this motion, undersigned counsel has not received a response from counsel for Respondent.

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CERTIFICATE OF SERVICE

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The undersigned hereby certifies that a copy of the Petitioner's Motion for Extension of Time to File Appendix and Petition for Writ of Certiorari was served by first class United States mail, postage prepaid, this 12<sup>th</sup> day of September, 2017, upon the following:

J. Anthony Mabry  
Caroline Scrantom  
Assistant Attorney General  
P.O. Box 11549  
Columbia, SC 29211

  
Jill Abernethy