

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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RECEIVED

MAY 29 2018

APPEAL FROM LEXINGTON COUNTY  
The Honorable Eugene C. Griffith, Jr., Circuit Court Judge  
S.C. SUPREME COURT

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Appellate Case No. 2017-001877

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LANCE AUSTIN WILLIAMS,

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

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**MOTION FOR SECOND EXTENSION OF TIME TO FILE  
REPLY TO RETURN TO PETITION FOR WRIT OF CERTIORARI**

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The undersigned counsel would respectfully request an additional seven (7) day extension in which to file the Reply to Return to Petition for Writ of Certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

Petitioner's Reply is due today, Tuesday, May 29, 2018, pursuant to this Court's Order dated May 22, 2018.

The undersigned attorney for the Petitioner has had a number of matters in state and federal court to attend to in the last eight days. Specifically, counsel completed and filed the Motion for Summary Judgment and Return and Memorandum in Support of Motion for Summary Judgment in Stanley Shawn Davis, #277744 vs. Warden, Lee

Correctional Institution, C/A No. 5:18-00441-JMC-KDW, a federal habeas action pending before the United States District Court for the District of South Carolina. Counsel also spent a significant amount of time working on a draft appendix and other related documents for filing in Charles Christopher Williams vs. Bryan P. Stirling, C/A No. 18-2, an appeal in a federal habeas action in a Greenville County capital case in which federal habeas relief was granted. Counsel also drafted and filed the Respondent's Response to Motion to Stay in Marion Bowman v. Stirling, et al., C/A No. 9:18-00287-TLW-BM, a federal habeas action in a Dorchester County capital murder case now pending in the United States District Court for the District of South Carolina.

Counsel also spent a significant amount of time reviewing files in preparation for an evidentiary hearing in a post-conviction relief action in Derell Green vs. State of South Carolina, a Charleston County murder case, which was set for a hearing on May 22, 2018. Counsel also spent a significant amount of time preparing for oral argument in State v. James Bethel, a direct appeal in a Richland County murder case now pending before the South Carolina Supreme Court. Counsel presented oral argument on behalf of the State in that appeal on May 23, 2018.

Counsel also spent a substantial amount of time drafting the Return and Memorandum of Law in Support of Motion for Summary Judgment in Bobby Wayne Stone v. Stirling, et al., 2:17-cv-01221-MGL-MGB, a federal habeas action in a Sumter County capital murder case now pending in the United States District Court for the District of South Carolina. Counsel has spent a significant amount of time in researching and drafting the Reply Brief of Appellant in Jamison v. Cohen, Case No. 17-

7466, an appeal pending in the United States Court of Appeals for the Fourth Circuit in a federal habeas action. The Reply Brief in that case is being filed today.

Counsel has done a significant amount of work on the Reply to Return to Peittion for Writ of Certiorari in this case. However, due to counsel's involvement in these and other matters in state and federal court, counsel has not been able to complete the Reply to Return to Petition for Writ of Certiorari in this action. Thus, counsel is requesting an extension of time in which to file the Reply to Return to Petition for Writ of Certiorari. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a seven (7) day extension of time to serve and file the Reply to Return to Petition for Writ of Certiorari.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
Bar No. 14244

ALPHONSO SIMON, JR.  
Assistant Attorney General  
Bar No. 74713  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

By: 

ALPHONSO SIMON, JR.  
ATTORNEYS FOR PETITIONER

March 29, 2018.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM LEXINGTON COUNTY  
The Honorable Eugene C. Griffith, Jr., Circuit Court Judge

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Appellate Case No. 2017-001877

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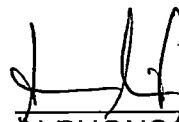
**PROOF OF SERVICE**

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I, Alphonso Simon, Jr., of counsel for the Petitioner, certify that I have served two (2) copies of the within Motion for a Second Extension of Time to File the Reply to Return to Petition for Writ of Certiorari via U.S. mail to his attorneys of record, Richard A. Harpootlian, Esq. and to Christopher P. Kenney, Esq., Richard A. Harpootlian, P.A., P.O. Box 1090, Columbia, South Carolina 29202.

I further certify that all parties required by Rule to be served have been served.

This 29<sup>th</sup> day of May, 2018.



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ALPHONSO SIMON, JR.  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305



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MAY 29 2018

S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

May 29, 2018

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: *Lance Austin Williams vs. State of South Carolina*  
Appeal from Lexington County  
Appellate Case No. 2017-001877

Dear Mr. Shearouse:

I hereby request an extension of seven (7) days in which to file the Reply to Return to Petition for Writ of Certiorari in the above-referenced case. The Reply is currently due to be served and filed today, Tuesday, May 29, 2018. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Reply.

Therefore, I am enclosing an original and six (6) copies of a Motion for Second Extension to File Reply to Return to Petition for Writ of Certiorari. I am advising counsel for Respondent by copy of this letter.

Sincerely,

Alphonso Simon, Jr.  
Assistant Attorney General

AS/dmd  
Enclosures

cc: Richard A. Harpootlian, Esq. (w/two copies of encls.)  
Christopher P. Kenney, Esq. (w/two copies of encls.)