

STATE OF SOUTH CAROLINA  
In The Supreme Court

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CERTIORARI TO FLORENCE COUNTY  
Court of Common Pleas

JUL 02 2018

The Honorable Edgar W. Dickson, Circuit Court Judge <sup>S.C. SUPREME COURT</sup>

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Appellate Case No. 2017-000105

Thomas E. Davis,

Petitioner,

v.

State of South Carolina,

Respondent.

**MOTION FOR FOURTH EXTENSION TO FILE  
RETURN TO PETITION FOR WRIT OF CERTIORARI AND  
BRIEF OF RESPONDENT PURSUANT TO WHITE V. STATE**

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Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Return to Petition for Writ of Certiorari and Brief of Respondent pursuant to White v. State, up to and including August 1, 2018. This is Respondent's fourth request for an extension of time in which to file the return. In support of the request, undersigned counsel would respectfully show the Court:

1. The Return to Petition for Writ of Certiorari is due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. This is the fourth request for an extension of time in which to file a response.
3. Due to staff turnover in the office, Counsel is temporarily handling an additional case load and transitioning to a new case load assignment, which has required a significant

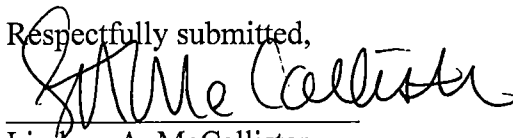
amount of Counsel's attention in the past month.

4. Counsel appeared on behalf of the State at a PCR hearing in Florence on May 31, 2018, and a scheduling conference in Richland County on June 1, 2018.
5. Counsel has a pre-planned vacation scheduled from June 28 – July 6, 2018.
6. Counsel filed a Petition for Writ of Certiorari in Hubert Brown v. State (2016-001363) on May 9, 2018, a Return to Petition for Writ of Certiorari in Gregory F. Young v. State (2017-001653) on May 16, 2018, a Return to Petition for Writ of Certiorari in Ontaney V. Jackson v. State (2017-001412) on June 15, 2018, and is filing a Return to Petition for Writ of Certiorari in Gabriel J. Rios v. State on today's date.

This extension request is not intended for purposes of delay, but rather to ensure that the Return and Brief are properly researched and prepared. The undersigned is currently working on the Return and Brief and hopes to have them completed shortly. The undersigned therefore requests an extension of time within which to serve and file the Return and Brief of Respondent. THEREFORE, undersigned counsel for Respondent respectfully requests a **fourth and final thirty-day extension** until **August 1, 2018**, in which to complete and file the Return to Petition for Writ of Certiorari and Brief of Respondent pursuant to White v. State in this case based upon the above exigent circumstances. Undersigned counsel has attempted to obtain consent by signature or email from opposing counsel, but has been unable to do so. However, a member of opposing counsel's staff was able to provide consent by telephone earlier today.

{Signatures on following page.}

Respectfully submitted,

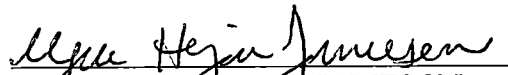


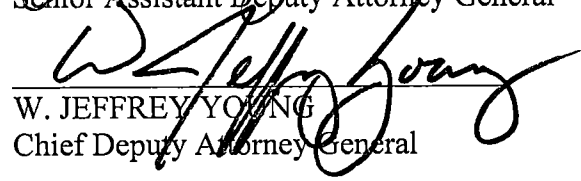
Lindsey A. McCallister  
Assistant Attorney General  
S.C. Bar # 79054  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737  
Attorney for Respondent

**We concur that extraordinary circumstances  
have been shown**

**I consent:**

Via telephone  
Rose Mary Parham  
Attorney for Petitioner

  
MEGAN HARRIGAN JAMESON  
Senior Assistant Deputy Attorney General

  
W. JEFFREY YOUNG  
Chief Deputy Attorney General

This 2nd day of July, 2018.

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CERTIORARI TO FLORENCE COUNTY  
Court of Common Pleas

S.C. SUPREME COURT

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The Honorable R. Scott Sprouse, Circuit Court Judge

JUL 02 2018

Appellate Case No. 2017-000105

S.C. SUPREME COURT

Thomas E. Davis, ..... Petitioner,

v.

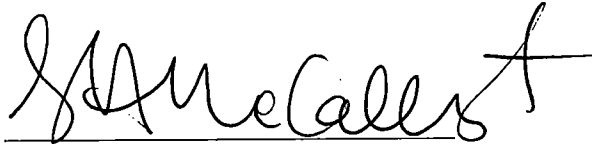
State of South Carolina, ..... Respondent.

**CERTIFICATE OF SERVICE**

I, Lindsey A. McCallister, certify that I have today served the within **Motion for Fourth Extension to File Return to Petition for Writ of Certiorari and Brief of Respondent Pursuant to White v. State** upon Appellant by depositing a copy of the same in the United States mail, postage prepaid, addressed to:

**Rose Mary Parham, Esq.**  
Parham Law Firm, LLC.  
Post Office Box 1514  
Florence, South Carolina 29503

This 2<sup>nd</sup> day of July, 2018.



Lindsey A. McCallister  
S.C. Bar # 79054  
Office of Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737  
ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

July 2, 2018

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JUL 02 2018

S.C. SUPREME COURT

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

**Re: Thomas E. Davis, #351299 v. State of South Carolina**  
**Appellate Case No.: 2017-000105**  
**Lower Court Case: 2013-CP-21-0846**

Dear Mr. Shearouse:

Enclosed for filing please find an original and six (6) copies of the **Motion for Fourth Extension to File Return to Petition for Writ of Certiorari and Brief of Respondent Pursuant to White v. State** in the above-captioned case.

Sincerely,

Lindsey A. McCallister  
Assistant Attorney General  
SC Bar #79054

LAM/ks  
Enclosures

cc: Rose Mary Parham, Esquire  
Trisha Allen, Director - Victim Advocacy Division