

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Horry County

Honorable Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2017-002281

RECEIVED

JUL 05 2018

S.C. SUPREME COURT

STEPHEN C. STANKO #6022,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

SECOND MOTION EXTENSION OF TIME

Petitioner, through undersigned counsel, respectfully requests the Court grant an extension of time in which to serve and file a Petition for Writ of Certiorari and Appendix, currently due to be filed on July 9, 2018. Specifically, undersigned counsel requests an additional thirty (30) days in which to file the Petition for Writ of Certiorari and Appendix. In support of this motion, the undersigned would show this Court:

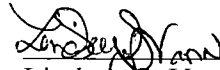
- (1) This Court granted Petitioner's first extension request on June 7, 2018, extending the deadline to file and serve the Petition for Writ of Certiorari and the Appendix until July 9, 2018.
- (2) Undersigned counsel is currently preparing for a hearing in *State v. Northcutt*, No. 01-GS-32-880 on Mr. Northcutt's Motion to Reconsider Sentence. Undersigned counsel

has been retained as the mitigation investigator in Mr. Northcutt's case and has been working diligently to identify, locate, interview, and prepare mitigation witnesses to testify at the hearing. The hearing is expected to last four or five days.

- (3) Undersigned counsel is appointed to represent Petitioner Stanko in his Georgetown County capital post-conviction proceedings, currently on remand to the circuit court from this Court. In those proceedings, undersigned counsel has prepared for and litigated a hearing on whether initial post-conviction relief counsel were qualified pursuant to South Carolina Code § 17-27-160(B), held on January 9, 2018, and on the standard to be applied to determine whether Applicant was prejudiced by initial counsel's lack of qualification, held on March 2, 2018. Undersigned counsel is currently preparing for a hearing on whether Petitioner Stanko was prejudiced as a result of prior counsel's lack of qualifications. The hearing on prejudice was scheduled for August 20, 2018, but, after a status conference held on June 28, 2018, appears likely to be continued until November 2018.
- (4) Undersigned counsel was appointed in the capital federal habeas proceedings of Anthony Woods, *Woods v. Stirling*, No. 5:18-cv-00144, on January 12, 2018. Since that time, counsel has reviewed the record in the case and is now conducting investigation in preparation for filing a petition for writ of habeas corpus, which is due on September 21, 2018.

For the above reasons, which counsel believes constitute good cause under this Court's Order Dated March 18, 2009, undersigned counsel requests that this Court extend the deadline for filing the Petition for Writ of Certiorari and Appendix in this case an additional thirty (30) days.

Respectfully submitted,



Lindsey S. Vann, SC Bar No. 101408
Justice 360
900 Elmwood Ave., Suite 200
Columbia, SC 29201
(803) 765-1044

July 5, 2018.

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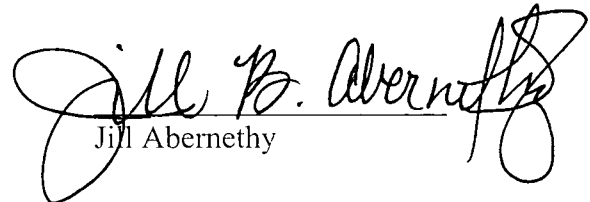
STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Petitioner's Second Motion for Extension of Time was served by first class United States mail, postage prepaid, this 5th day of July 2018, upon the following:

Caroline M. Scrantom
Assistant Attorney General
P.O. Box 11549
Columbia, SC 29211


Jill Abernethy