

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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JUL 31 2018

Appeal from Horry County

S.C. SUPREME COURT

Honorable Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2017-002281

STEPHEN C. STANKO #6022,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

THIRD 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 August 8, 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 second extension request on July 7, 2018, extending the deadline to file and serve the Petition for Writ of Certiorari and the Appendix until August 8, 2018.
- (2) Undersigned counsel Lindsey Vann spent the majority of the past thirty (30) days preparing for a hearing in the capital case of *State v. Northcutt*, No. 01-GS-32-880 on

Mr. Northcutt's Motion to Reconsider Sentence. Undersigned counsel was retained as a mitigation investigator on the case and had significant responsibilities for preparing the case for hearing. At the request of counsel for Mr. Northcutt, Ms. Vann filed a notice of appearance as counsel in Mr. Northcutt's case at the commencement of the hearing on July 23, 2018.

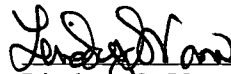
- (3) Undersigned counsel is also appointed to represent Petitioner Stanko in his Georgetown County capital post-conviction proceedings, currently on remand to the circuit court from this Court. In the past thirty (30) days, undersigned counsel has worked with her co-counsel and the mitigation investigator to continue developing and preparing claims for relief in preparation for a hearing scheduled for November of 2018.
- (4) Undersigned counsel has significant other obligations in the next two weeks, including preparing for depositions in a lawsuit involving several of counsel's capital clients (including Petitioner Stanko) in *Northcutt, et al. v. South Carolina Dep't of Corrections*, No. 4:17-cv-3301-BHH-TER (D.S.C.) and preparing to teach several training sessions at the National Habeas Seminar scheduled for August 9-12, 2018.
- (5) In addition, over the past thirty (30) days, undersigned counsel has completed significant work in a capital federal habeas case in which she is appointed as counsel for Anthony Woods, *Woods v. Stirling*, No. 5:18-cv-00144, and a state capital post-conviction relief case in which she is appointed as counsel for Ricky Lee Blackwell, *Blackwell v. State*, 2018-CP-042-00928.
- (6) At the time of undersigned counsel's appointment on this case, attorney Emily C. Paavola, agreed to assist on this case in a *pro bono* capacity. Ms. Paavola's

involvement is limited by her other responsibilities<sup>1</sup> and undersigned counsel Vann has primary responsibility for handling this case.

- (7) Undersigned counsel contacted counsel for the State who indicated the State consents to the requested extension.

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,



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(803) 765-1044



Emily C. Paavola, SC Bar No. 77855  
Justice 360  
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(803) 765-1044

July 30, 2018.

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<sup>1</sup> In the past thirty (30) days, Ms. Paavola has been actively working on the following cases: *Winkler v. State* (a capital PCR case in state court), *Stone v. State* (a capital PCR case in state court); *John Wood v. Stirling* (a capital federal habeas case); *Anthony Woods v. Stirling* (a capital federal habeas case); *Robertson v. State* (a capital PCR case in state court); *Stone v. Stirling* (a capital federal habeas case); and *State v. Taylor* (a non-capital direct appeal in state court). Ms. Paavola also has significant teaching, consulting and travel responsibilities with the Habeas Assistance and Training Project.

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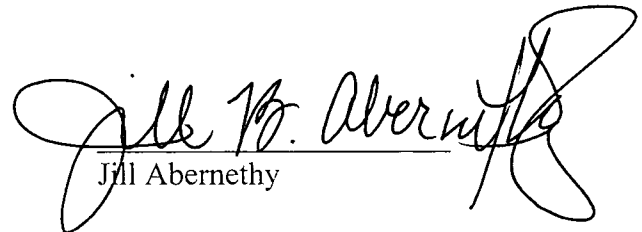
STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Petitioner's Third Motion for Extension of Time was served by first class United States mail, postage prepaid, this 30<sup>th</sup> day of July 2018, upon the following:

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

  
Jill Abernethy