

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Greenville County  
Hon. Perry H. Gravely, Circuit Court Judge  
Appellate Case Tracking No. 2017-002411  
\_\_\_\_\_

RECEIVED  
APR 15 2019  
S.C. SUPREME COURT

Daniel Lopez,

Petitioner,

v.

State of South Carolina,

Respondent.

\_\_\_\_\_  
**MOTION FOR FOURTH EXTENSION  
WITHIN WHICH TO SERVE AND FILE  
RETURN TO PETITION FOR WRIT OF CERTIORARI**  
\_\_\_\_\_

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

The Return to Petition for Writ of Certiorari is due to be served and filed on April 15, 2019.

**II.**

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** extension in the above-referenced post-conviction relief appeal and asks for an additional thirty days to complete the Return in this case. In the past few weeks, the undersigned counsel has participated in oral argument before the Court of Appeals in State v. Jamie Lee Simpson and State v. Tony Latrell Kinard, participated in oral argument

before the Supreme Court in State v. Sean Robert Kelly, submitted a Return to Petition for Writ of Certiorari in State v. Timothy Oertel, Dominique Shumate v. State, and David W. Chiles, Jr. v. State, submitted a Brief of Respondent in State v. Jamal Marquis Daniels, and submitted a Final Brief of Respondent in State v. Brendan P. Furthermore, the undersigned has been on a leave of absence following the birth of a child, but should have this Return completed without need for further extensions.

### III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Return in the above-referenced case has required significant research because the case involves two important issues on appeal. The undersigned counsel is currently working on the Return in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Return. Accordingly, in order to ensure the Return is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Return.

### IV.

Before filing this extension request, a representative of the State has consulted with counsel for Petitioner about the matter, and counsel for Petitioner has graciously indicated she has no objections to the State's request for an additional extension.

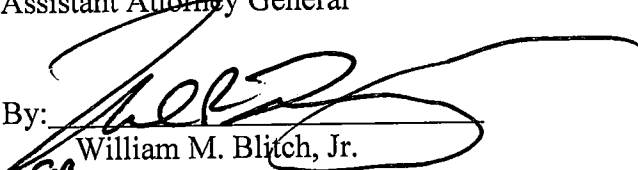
**WHEREFORE**, Respondent prays that the Court extend the deadline for the service and filing of the Return to Petition for Writ of Certiorari in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General

By: 

  
William M. Blich, Jr.  
SC Bar No. 15608  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737

We have reviewed and approved this extension request.

By: 

Megan H. Jameson  
Senior Assistant Deputy Attorney General

By: 

Donald J. Zelenka  
Deputy Attorney General

April 15, 2019

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IN THE SUPREME COURT

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**PROOF OF SERVICE**


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I, Judy A. C. Carey, certify that I have served the Motion For Fourth Extension Of Time Within Which To Serve And File Return to Petition for Writ of Certiorari on Petitioner by depositing a copy of same in the United States mail, postage prepaid, addressed to:

William G. Yarborough, III, Esquire  
522 North Church Street  
Greenville SC 29601

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

This 15<sup>th</sup> day of April, 2019.

  
JUDY A. C. CAREY  
Legal Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3737



ALAN WILSON  
ATTORNEY GENERAL

April 15, 2019

RECEIVED  
APR 15 2019  
S.C. SUPREME COURT

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

**Re: Daniel Lopez v. State of South Carolina**  
**Appellate Case No. 2017-002411**  
**Lower Court Case No. 2016-CP-23-1299**

Dear Mr. Shearouse:

Attached are the original and six (6) copies of the **Motion for Fourth Extension to file Return Petition for Writ of Certiorari** in the above referenced case for filing in your office.

Sincerely,

William M. Blich  
Assistant Attorney General  
SC Bar #15608

cc: William G. Yarborough, III, Esquire  
Victim Advocacy Division (without enclosure)