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STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

S.C. SUPREME COURT

APPEAL FROM LEXINGTON COUNTY
The Honorable William P. Keesley, Circuit Court Judge

Appellate Case No. 2019-001104

RON O'NEAL FINKLEA, SK6025,

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

**PETITION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI**

The undersigned counsel would respectfully request a fourteen (14) day extension in which to file the Petition for Writ of Certiorari in the above-referenced case. Counsel for Petitioner has conferred with opposing counsel regarding Appellate Court Rule 240(b) and whether the outstanding Motion for Appointment of Counsel in this matter results in a stay of proceedings. Opposing counsel's position is that the matter is stayed; however, in an abundance of caution, Petitioner seeks a short extension so as to avoid any potential lapse in the filing deadline for the Petition for Writ of Certiorari. Opposing counsel has otherwise consented to this request. Counsel would respectfully show the Court the following:

Petitioner's Petition for Writ of Certiorari is due today, Wednesday, August 7, 2019.

Counsel makes this request because he has been unable to complete the Petition for Writ of Certiorari in this matter due to his involvement in other matters in both state and federal court in the past thirty days. The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since July 8, 2019.

Specifically:

1. Counsel filed Respondent's Response in Opposition to Petitioner's Motion for Evidentiary Hearing, and Order of Impeachment [ECF #67], in the matter of Kevin Wayne McDaniels, #254398 vs. Charles Williams, Warden, C/A No. 1:18-2611-TLW on July 8, 2019;
2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Dantonyo Heath, #263884 vs. Randall Williams, Warden, C/A No. 5:19-00433-DCN-KDW on July 17, 2019;
3. Counsel prepared the Initial Brief of Respondent and Designation of Matter in The State vs. Nick Russell Evangelista, Appellate Case No. 2018-000448, a Beaufort County murder appeal matter on July 24, 2019;
4. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Lamar Dontray Williams, #285568 vs. Randall Williams, C/A No. 6:19-cv-1008-MGL-KFM on July 29, 2019; and
5. Counsel filed the Respondent's Reply to Petitioner's Response in Opposition to Motion for Summary Judgment [ECF #33] in the matter of Bryan Byrd, #305294 vs. Michael Stephan, Warden, C/A No. 2:18-3256-HMH-MGB on August 5, 2019.

Due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Petition for Writ of Certiorari in this proceeding. Thus, counsel is requesting an extension of time in which to file the Petition for Writ of Certiorari in this matter. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a fourteen (14) day extension of time to serve and file the Petition for Writ of Certiorari.

Respectfully submitted,

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Attorney General

W. JEFFREY YOUNG
Chief Deputy Attorney General

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ATTORNEYS FOR PETITIONER

August 7, 2019

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PROOF OF SERVICE

I, W. Joseph Maye, on behalf of counsel for the Petitioner, certify that I have served two (2) copies of the within Petition for Extension of Time to File Petition for Writ of Certiorari via U.S. mail, postage prepaid, and addressed to his attorneys of record:

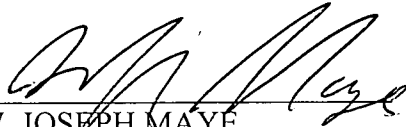
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I further certify that all parties required by Rule to be served have been served.

This 7th day of August, 2019.


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