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S.C. SUPREME COURT

ALAN WILSON  
ATTORNEY GENERAL

August 21, 2019

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P.O. Box 11330  
Columbia, South Carolina 29211

Re: Ron O'Neal Finklea, SK6025 vs. State of South Carolina  
Appeal from Lexington County  
Appellate Case No. 2019-001104

Dear Mr. Shearouse:

I hereby request an extension of thirty (30) days in which to file the Petition for Writ of Certiorari in the above-referenced case. The Petition is currently due to be served and filed today, August 21, 2019. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Petition.

Therefore, I am enclosing an original and six (6) copies of a Petition for Second Extension of Time to File Petition for Writ of Certiorari. Counsel for Respondent have consented to this request.

Sincerely,

W. Joseph Maye  
Assistant Attorney General

WJM:dmd

Enclosures

cc: Diana L. Holt, Esq. (w/two copies of encls.)  
John H. Blume, III, Esq. (w/two copies of encls.)  
Robert M. Dudek, Esq. (w/two copies of encls.)  
Trisha Allen, Victim Advocacy Division (w/copy of encls.)

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STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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S.C. SUPREME COURT

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

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Appellate Case No. 2019-001104

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RON O'NEAL FINKLEA, SK6025,

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

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

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The undersigned counsel would respectfully request a thirty (30) 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 and they have graciously consented to the petition for extension.<sup>1</sup> Counsel would respectfully show the Court the following:

Petitioner's Petition for Writ of Certiorari is due today, Wednesday, August 21, 2019. The Petition has been *substantially* drafted, is near completion, and is currently awaiting supervisory review to approve the numerous additions and modifications made

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<sup>1</sup> Counsel for Petitioner is aware of the pending Motion for Appointment of Counsel. 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 extension so as to avoid any potential lapse in the filing deadline for the Petition for Writ of Certiorari.

during Petitioner's first extension of time. Unfortunately, over the last two weeks, the obligations of the unit supervisor and other attorneys have included pressing matters and deadlines for filings in this Court, The United States Supreme Court, and the Fourth Circuit Court of Appeals. These matters have limited the opportunity for review of the Petition, and will continue to do so for the coming days.

However, work has continued in this matter, and in review of the existing Appendix, Counsel for Petitioner has identified certain missing documents which require submission via Supplemental Appendix. The Supplemental Appendix is currently in the process of being assembled. Petitioner would like the opportunity to submit the Petition for Writ of Certiorari along with the anticipated Supplemental Appendix.

Petitioner does not anticipate the need for further extensions and will promptly submit the Petition for Writ of Certiorari and Supplemental Appendix as soon as supervisory review has been completed. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Petition for Writ of Certiorari.

Respectfully submitted,

ALAN WILSON  
Attorney General

W. JEFFREY YOUNG  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

WILLIAM EDWARD SALTER  
Senior Assistant Attorney General

W. JOSEPH MAYE  
Assistant Attorney General  
Bar No. 100851

Post Office Box 11549  
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(803) 734-6305

By: \_\_\_\_\_

  
W. JOSEPH MAYE

ATTORNEYS FOR PETITIONER

August 21, 2019

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RON O'NEAL FINKLEA, SK6025,

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

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**PROOF OF SERVICE**

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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:

Diana L. Holt, Esq., Diana L. Holt, LLC  
P.O. Box 6454  
Columbia, South Carolina 29260-6454

John H. Blume, III, Esq.  
Blume, Norris, Franklin-Best & Young, LLC  
900 Elmwood Avenue, Suite #200  
Columbia, South Carolina 29201

Robert M. Dudek, Esq.  
SCCID\Division of Appellate Defense  
1330 Lady St., Ste. #401  
Columbia, South Carolina 29201

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

This 21<sup>st</sup> day of August, 2019.



W. JOSEPH MAYE  
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