

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

Appellate Case No. 2019-001104

RON O'NEAL FINKLEA, SK6025,

RESPONDENT,

v.

STATE OF SOUTH CAROLINA,

PETITIONER.

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

The undersigned counsel would respectfully request a fifteen (15) 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.¹ Counsel would respectfully show the Court the following:

Petitioner's Petition for Writ of Certiorari is due today, Friday, September 20, 2019. As stated in the Petitioner's second extension request, the petition has been *substantially* drafted, and was awaiting supervisory review to approve the numerous

¹ 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.

additions and modifications made during Petitioner's first and second extensions of time. Counsel has made substantial revisions. Unfortunately, over the last month, the obligations of the unit supervisor, Melody J. Brown, Senior Assistant Deputy Attorney General, and other attorneys have included pressing matters, and the Petition is still being modified. Specifically, Ms. Brown is currently preparing the Return to Petition for Writ of Certiorari in the capital matter of William O. Dickerson vs. State of South Carolina, Appellate Case No. 2018-001499, now pending in the South Carolina Supreme Court which is due on Monday, September 23, 2019, and is currently on a fourth extension of time. William Edgar Salter, III, Esq., Senior Assistant Deputy Attorney General is also out of the State currently attending and presenting oral argument in the United States Court of Appeals for the Fourth Circuit in the capital Federal Habeas matter of Richard Bernard Moore vs. Bryan P. Stirling, Commissioner, et al., No. 18-4. These matters have limited the opportunity for completion 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 additionally identified certain missing documents which require submission via Supplemental Appendix. The Supplemental Appendix is currently in the process of being assembled.

WHEREFORE, premises considered, counsel hereby respectfully requests a fifteen (15) 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

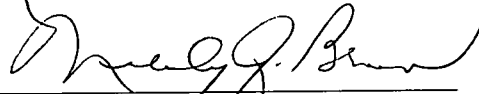
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September 20, 2019

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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PROOF OF SERVICE

I, Donna D'Alessio, an employee of the Petitioner, and Legal Assistant to Melody J. Brown, Senior Assistant Deputy Attorney General, on behalf of counsel for the Petitioner, certify that I have served two (2) copies of the within Petition for Third Extension of Time to File Petition for Writ of Certiorari via U.S. mail, postage prepaid, and addressed to his attorneys of record:

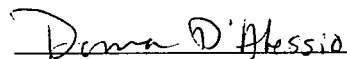
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I further certify that all parties required by Rule to be served have been served.

This 20th day of September, 2019.



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