

STATE OF SOUTH CAROLINA
In The Supreme Court

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S.C. SUPREME COURT

CERTIORARI TO GREENVILLE COUNTY
Court of Common Pleas

The Honorable Alex Kinlaw, Jr., Circuit Court Judge

Appellate Case No. 2018-002280

MICHAEL EDWARD WILLIAMS,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**MOTION FOR FOURTH EXTENSION OF TIME 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 February 3, 2020.

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** and **final** extension in the above referenced post-conviction relief appeal and asks for an additional thirty days to complete the return in this case. In support of the

request, undersigned counsel would respectfully show the Court:

1. The undersigned represented the State at hearings in post-conviction relief matters in the Thirteenth Judicial Circuit on January 21, 2020, and January 22, 2020;
2. In the past few weeks, Counsel has submitted various pleadings, motions, and other papers in Circuit Court, including a proposed order of dismissal in Williams v. State (2016-CP-23-7610), a proposed order of dismissal in McLauren v. State, (2018-CP-39-0852), a motion for a more definite statement in Williams v. State, (2019-CP-23-0485), a motion to quash a subpoena in Rickmon v. State, (2018-CP-37-0323), a proposed order granting the State's motion for a more definite statement in Owings v. State (2019-CP-23-2686), a proposed order of continuance in Swofford v. State (2018-CP-23-5662), a proposed order of dismissal in Thomas v. State (2018-CP-39-1276), a proposed order of continuance in Wright v. State (2019-CP-39-0555), a return and motion for a more definite statement in McBride v. State (2019-CP-23-4647), a return in Martin v. State (2019-CP-23-4598), a return in Arnold v. State (2019-CP-23-3410), a return and motion to dismiss and a conditional order of dismissal in Curry v. State (2019-CP-23-2685), and a return in Jones v. State (2019-CP-23-3756);
3. The undersigned participated in a conference call with the post-conviction relief court and opposing counsel in Thompson v. State (2017-CP-23-6516) on January 31, 2020;
4. The undersigned will represent the State during hearings in post-conviction relief matters in the Tenth Judicial Circuit from February 18, 2020, through February 20, 2020, for which he is still preparing;
5. The undersigned will represent the State during a hearing in a post-conviction relief matter in the Thirteenth Judicial Circuit on February 21, 2020, for which he is still

preparing;

6. The undersigned will submit to this Court a Return to Petition for Writ of Certiorari and a Brief of Petitioner Pursuant to White v. State in Justin Ryan Cone v. State (2019-000437) on February 3, 2020;
7. In the next few days, the undersigned will submit a proposed order of dismissal in Lowrance v. State (2018-CP-23-2514);
8. The undersigned will represent the State in oral argument in Willie J. Richardson v. State (2016-000885) before the South Carolina Court of Appeals on February 6, 2020, as the date of oral argument was rescheduled to the sixth from its original date of February 12, 2020;
9. The undersigned served and filed with the South Carolina Court of Appeals a Motion to Supplement the Record on Appeal and the Final Brief of Respondent in Gavin V. Jones v. State (2018-001099) on January 14, 2020;
10. The undersigned served and filed with the South Carolina Court of Appeals a Petition for Rehearing in Chappell v. State (2016-000283) on January 15, 2020; and
11. The undersigned served and filed with this Court a Return to Petition for Writ of Certiorari in Susan Hendricks v. State (2019-000354) on January 16, 2020.

This extension request is not intended for purpose of delay, but rather to ensure that the Return to Petition for Writ of Certiorari is thoroughly researched and prepared. To ensure that an additional extension will not be necessary, the undersigned intends to work overtime as is necessary in the coming weeks.

III.

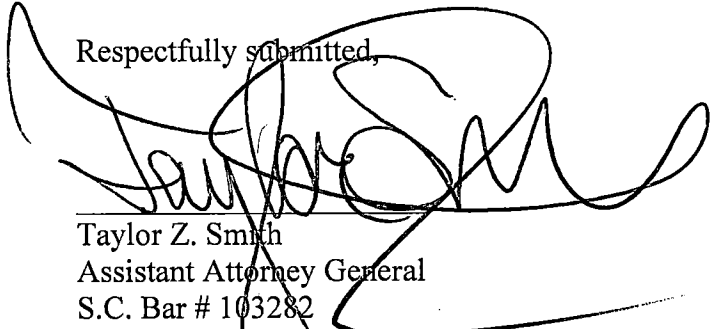
Prior to seeking this extension request, the undersigned counsel consulted with counsel for Petitioner, and Petitioner's counsel graciously indicated that she does not object to the State's

extension request.

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 this motion; and grant such other and further relief as the Court may deem just and proper.

February 3, 2020

Respectfully submitted,

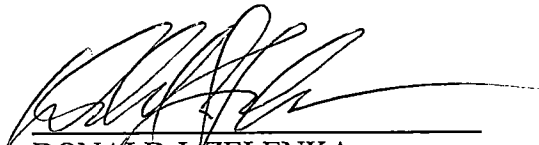


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We concur that extraordinary circumstances have been shown



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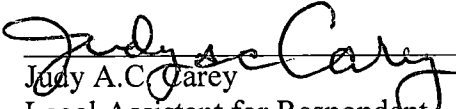
CERTIFICATE OF SERVICE

I, Judy A.C. Carey, hereby 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 Appellant by depositing a copy of same in the mail, addressed to:

**Jessica M. Saxon, Esquire
SC Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia SC 29211-1589**

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

This 3rd day of February, 2020.



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