

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

On Petition for Writ of Certiorari to Saluda County

The Honorable J. Michael Baxley, Trial Judge
The Honorable Debra R. McCaslin, PCR Judge

Appellate Case No. 2021-000783

GERALD R. WILLIAMS,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

**MOTION FOR FOURTH EXTENSION 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.

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, Respondent moves for a **fourth** and **final** extension in the above referenced post-conviction relief appeal and asks for an additional **ten** days to complete the return in this case. In support of the request, undersigned counsel would respectfully show the Court:

1. Respondent’s return to the petition for a writ of certiorari is due to be served and filed with this Court in this matter by June 3, 2022.
2. In the past thirty days, the undersigned has submitted and filed various pleadings,

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- motions, and other papers in the Circuit Court, including a proposed order of dismissal in Dobbins v. State, 2020-CP-23-03996; a proposed order of continuance in Davis v. State, 2018-CP-23-04795; a proposed order of dismissal in McBride v. State, 2019-CP-23-4647; a proposed order of continuance in Lee v. State, 2020-CP-23-225; a proposed order of dismissal in Smith v. State, 2017-CP-04-01786; and a motion for discovery in Franklin v. State, 2019-CP-23-7162.
3. On May 5, 2022, the undersigned represented Respondent in the Eleventh Judicial Circuit at status conference in Morehouse v. State, 2019-CP-32-4714.
 4. On May 23, 2022, the undersigned served and filed with this Court Respondent's return to the petition for a writ of certiorari to the Court of Appeals in Johnson v. State, 2022-000427.
 5. On each day from May 23, 2022, through May 27, 2022, the undersigned singlehandedly represented Respondent at hearings in post-conviction relief matters in the Thirteenth Judicial Circuit.
 6. On May 31, 2022, the undersigned reviewed an opposing party's proposed order granting post-conviction relief in Taylor v. State, 2019-CP-23-4648.
 7. On each day from June 6, 2022, through June 10, 2022, the undersigned is scheduled to represent Respondent at hearings in post-conviction relief matters in the Eleventh Judicial Circuit, for which he is still preparing.
 8. By the end of the week of June 6, 2022, the undersigned will review an opposing party's proposed order granting post-conviction relief in Hendricks v. State 2019-CP-39-1542.
 9. By the end of the day on June 13, 2022, the undersigned intends to submit a proposed order of dismissal in Taylor v. State, 2019-CP-23-4648.

10. By June 22, 2022, the undersigned intends to serve and file in the Court of Appeals the State's brief of respondent in Gaskins v. State, 2019-000907.
11. On June 27, 2022, the undersigned will represent the State in a post-conviction relief hearing in the Third Judicial Circuit in Colclough v. State, 2021-CP-43-0047, and in the reconstruction hearing in Edwards v. State, 2019-001088.
12. This extension request is not intended for purpose of delay, but rather to ensure that Respondent's return to the petition for a writ of certiorari is thoroughly researched and well-written.
13. To ensure that an additional extension will not be necessary, the undersigned intends to work extended hours on working days and to work over the coming weekends as is necessary.
14. Petitioner, through an inter-agency agreement between the Office of Appellate Defense and the Attorney General's Office, has consented to this extension motion.

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 ten days, until June 13, 2022,

hold the service and filing deadline in abeyance pending a ruling on this motion, and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

June 3, 2022

s/Taylor Zane Smith
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We concur that extraordinary circumstances have been shown

s/Megan Harrigan Jameson
MEGAN HARRIGAN JAMESON
Senior Assistant Deputy Attorney General

s/Donald J. Zelenka
DONALD J. ZELENKA
Deputy Attorney General