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**Nov 09 2023**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal From The Administrative Law Court  
Honorable Ralph K. Anderson III, Chief Administrative Law Judge  
Docket Number 18-ALJ-15-0039-AP

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Appellate Case No. 2019-001554

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STEWART BUCHANAN, # 69848 ..... PETITIONER,

V.

SOUTH CAROLINA DEPARTMENT OF  
PROBATION, PAROLE AND PARDON SERVICES .....RESPONDENT.

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**MOTION FOR EXTENSION OF TIME**

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Petitioner, through undersigned counsel, respectfully requests that the Court grant an extension of time to serve and file the Petition for Writ of Certiorari and Appendix in this case, currently due to be filed on November 17, 2023. Specifically, undersigned counsel requests an additional ten (10) days, in accordance with the Court’s Order dated July 16, 2014, in which to file the Petition. In support of this motion, the undersigned would show this Court:

1. The Court of Appeals granted Petitioner’s Petition for Rehearing on October 18, 2023, and issued a substituted opinion denying Petitioner relief.

2. Undersigned counsel Allison Franz, who is representing Mr. Buchanan on a *pro bono* basis, represents multiple death-sentenced individuals and several juvenile offenders whose cases have been very active over the past month. Specifically, she is counsel in the capital post-conviction case of *Norman Starnes v. State*, No. 2011-CP-32-830, for which she has conducted

extensive investigation into Mr. Starnes' potential post-conviction relief claims. She is also counsel in *Terry v. Stirling*, No. 21-6151, another capital post-conviction case, in which she has been conducting investigation for an upcoming hearing pursuant to *Atkins v. Virginia*. In addition, Ms. Franz is preparing for a motions hearing on several issues in an *Aiken v. Byars* resentencing case, *State v. Aiken*, Nos. 1997-GS-09-0156 et al., that is scheduled for November 21, 2023

3. Undersigned counsel Rosalind S.D. Major, who is also representing Mr. Buchanan *pro bono*, is appointed in the capital postconviction case of Bobby Wayne Stone, No. 2018-CP-43-01025, which is preparing for an evidentiary hearing in the next couple of months, requiring not only significant file review and research, but also requiring out-of-state travel for depositions. Ms. Major is also appointed in the federal capital habeas case of *Delacerda v. Lumpkin*, 1:22-cv-00557 (E.D. Texas), and has spent significant time investigating and researching issues and claims for inclusion in an amended petition for writ of habeas corpus. Ms. Major is also *pro bono* counsel or assisting on several capital post-conviction cases in South Carolina, including Rickey Lee Blackwell and Ron O'Neal Finklea. Both Mr. Blackwell and Mr. Finklea's cases have a hearing or oral argument requiring preparation in the next several weeks.

For the above reasons, which counsel believes constitute good cause under this Court's Order Dated July 16, 2014, undersigned counsel requests that this Court extend the deadline for filing the Petition for Writ of Certiorari and Appendix in this case an additional ten (10) days, making Mr. Buchanan's Petition and Appendix due on November 27, 2023.

Respectfully submitted,

/s/Rosalind S.D. Major  
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