

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Jun 12 2024

On Petition for Writ of Certiorari to Horry County  
Honorable Debra R. McCaslin, Circuit Court Judge  
Appellate Case No. 2023-000811

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S.C. SUPREME COURT

DAVID JAMES WELCH,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

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**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE RETURN TO PETITION  
FOR WRIT OF CERTIORARI**

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Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

The Return to Petition for Writ of Certiorari in this post-conviction relief appeal is due to be served and filed June 12, 2024.

**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 **ten-day** extension until Monday, June 24, 2024, to complete the return in this case. In the past few weeks, the undersigned counsel has submitted a

Final Brief in the South Carolina Court of Appeals in The State v. Kareem Lamell Wallace (2023-000544); has filed an Initial Brief of Respondent and Designation of Matter in The State v. Justin Brodie Granet (2023-000288); and has filed a Brief of Respondent in The State v. Brandon Jerome Clark (2023-000641).

### III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned counsel is currently working on the Return in this case and intends to have it finished by no later than the end of the requested ten-day time period. However, the undersigned counsel has not yet been able to finish the Return due to a heavy workload and unanticipated matters that have arisen. Accordingly, in order to ensure the Return is properly researched and prepared, I would therefore request one final additional ten-day extension of time within which to serve and file the Return.

Please be advised that the State and Appellate Defense continue to consent to any requests for extensions or out-of-time filings. This limited consent applies to requests up to and including June 30, 2024.

**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 a period of ten days; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

AMBREE M. MULLER  
Assistant Attorney General

By: Ambree M. Muller  
for Ambree M. Muller  
S.C. Bar Number 104213

I have reviewed and approved this extension request.

By: Mark R. Farthing  
Mark R. Farthing  
Senior Assistant Deputy Attorney General

By: Donald J. Zelenka  
Donald J. Zelenka  
Deputy Attorney General

June 12, 2024