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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Cherokee County

Honorable Perry H. Gravely, Circuit Court Judge

DONALD MARTIN, III,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-000131

MOTION FOR AN EXTENSION TO SERVE AND FILE
THE PETITION FOR WRIT OF CERTIORARI
AND APPENDIX

Counsel for Donald Martin, III respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and accompanying appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009.

This is a second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Donald Martin, III respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.


3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Carlos Ruiz v. The State with the Supreme Court on May 1, 2025. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Andre Covington v. The State with the Supreme Court on April 24, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy Newman v. The State with the Supreme Court on April 11, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Melanie McClain with the Court of Appeals on April 8, 2025. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Vernon Cooley v. The State with the Supreme Court on March 26, 2025. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Kelvin Gantt v. The State with the Supreme Court on March 25, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Willie James Smith with the Court of Appeals on March 20, 2025. Counsel filed the petition for rehearing in the case of Willie M. Williams v. The State with the Court of Appeals on March 14, 2025. Counsel filed the initial reply brief of appellant in the case of The State v. Micah Pressley with the Court of Appeals on March 13, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dean Stevens with the Court of Appeals on March 12, 2025. Counsel had an oral argument in the case of Lindy Lamont Jones v. The State before the Court of Appeals on March 5, 2025. Counsel filed the brief of appellant, designation of matter and supplemental record on appeal in the case of The State v. Mack Gaines with the Court of Appeals on March 3, 2025.

4. Counsel makes this request in good faith and not for purpose of delay.

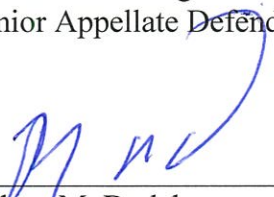
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty-day general consent granted by email from Deputy Attorney General Donald J. Zelenka dated April 30, 2025 for all Appellate Defense extensions through May 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension in which to serve and file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Senior Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 7th day of May, 2025.