

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

**Jul 17 2025**

S.C. SUPREME COURT

\_\_\_\_\_  
Certiorari to Charleston County

Honorable Roger M. Young, Circuit Court Judge  
\_\_\_\_\_

SAMUEL SMILEY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-000337  
\_\_\_\_\_

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

Counsel for Samuel Smiley respectfully requests an extension of thirty (30) days in which to serve and file the Petition for Writ of Certiorari and 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 Samuel Smiley 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the brief of appellant pursuant to White v. State in the case of Shelly Faulling v. The State with the Supreme Court on July 9, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shelly Faulling v. The State with the Supreme Court on July 9, 2025. Counsel filed the initial brief of respondent in the case of The State v. John Wilson Williamson, III, et al. with the Court of Appeals on July 7, 2025. Counsel filed the reply to return to petition for writ of certiorari in the case of Edward Bonilla v. The State with the Supreme Court on June 18, 2025. Counsel filed the petition for rehearing in the case of The State v. Zachir McCall with the Court of Appeals on June 12, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Myron Cannon v. The State with the Supreme Court on June 6, 2025. Counsel filed the initial reply brief of appellant in the case of The State v. Thomas Eric McDowell with the Court of Appeals on May 27, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Matthew Moon with the Court of Appeals on May 23, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Craig Lamar Edwards with the Court of Appeals on May 19, 2025.

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

5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-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 serving and

filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Jordan Wayburn  
Appellate Defender



Wanda H. Carter  
Interim Chief Appellate Defender

This 17<sup>th</sup> day of July, 2025.