

**RECEIVED**

**Aug 20 2025**

**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Charleston County

Honorable Walton J. McLeod, IV, Circuit Court Judge

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KEVIN L. MIDDLETON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-000349

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

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Counsel for Kevin L. Middleton respectfully requests an extension of thirty (30) days from August 20, 2025, until September 19, 2025, 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 Kevin L. Middleton 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.

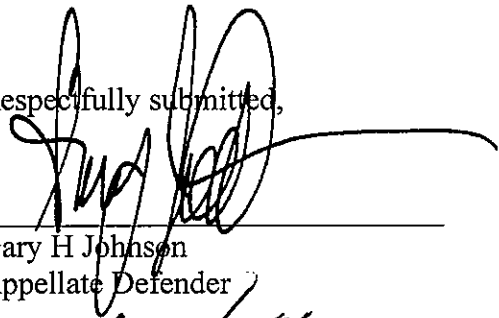
3. Counsel filed the Petition to Submit Amended Record on Appeal and the Proposed Amended Record on Appeal in the case of The State v. Samantha Ford Rabon with the Court of Appeals on August 19, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Shellie Lavette Davis with the Court of Appeals on August 15, 2025. Counsel filed the Initial Brief of Appellant in the case of The State v. Brain David Walls with the Court of Appeals on August 11, 2025. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. Justin Ray Speagle with the Court of Appeals on August 6, 2025. Counsel filed the Record on Appeal in the case of The State v. Samantha Ford Rabon with the Court of Appeals on August 6, 2025. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Nazareth N. Sanchez-Peralta with the Court of Appeals on August 6, 2025. Counsel filed the Final Brief of Appellant in the case of The State v. Dimitri Tarion Dickens with the Court of Appeals on August 5, 2025. Counsel filed the Petition to Submit Amended Record on Appeal and the Proposed Amended Record on Appeal in the case of The State v. Dimitri Tarion Dickens with the Court of Appeals on August 4, 2025. . Counsel filed an Amended Petition for Rehearing in the case of The State v. Driscoll Riggins, Jr. with the Court of Appeals on July 23, 2025.

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

5. On July 29, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 30, 2025.

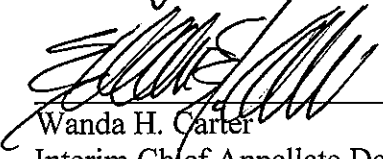
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from August 20, 2025, until September 19, 2025, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Gary H Johnson  
Appellate Defender



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Wanda H. Carter  
Interim Chief Appellate Defender

This 20th day of August, 2025.