

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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Sep 02 2025

On Petition for Writ of Certiorari to Richland County
Honorable Robert E. Hood, Trial Judge
Honorable Maité Murphy, Post-Conviction Relief Judge

S.C. SUPREME COURT

Appellate Case No. 2024-001123

Mimi J. Marshall, SCDC #231397,

Petitioner,

v.

State of South Carolina,

Respondent.

**MOTION FOR A FIFTH EXTENSION TO SERVE AND FILE THE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

Counsel for Respondent respectfully moves for a **fifth** and **final** extension of three (3) days in which to serve and file the Return to Petition for Writ of Certiorari in this case. This is the fifth request for an extension. In support of this request, counsel shows:¹:

1. The Return to Petition for a Writ of Certiorari was due to be served and filed with the Court on September 2, 2025.
2. Counsel for Respondent respectfully submits that extraordinary circumstances exist that warrant the granting of an additional time extension. Given the number of extensions

¹ In compliance with: In Re: Extensions in Criminal and Post-Conviction Relief Cases, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1).

previously granted and the order in which counsel attempts to manage his heavy caseload, Counsel will not request any further extension.

3. Counsel had a term of court the week of August 18th, in the Fifth Judicial Circuit, in which Counsel is preparing orders.
4. Counsel had a term of court the week of August 27th, in the Seventh Judicial Circuit, in which Counsel is preparing orders.
5. Counsel currently has a term of court in the Fourth Judicial Circuit, in which Counsel is preparing for those cases.
6. Counsel is preparing for a term of court on September 15–19, 2025, in the Eleventh Judicial Circuit.
7. In the last month, Counsel has had multiple PCR filings due with the lower courts in the Fourth, Fifth, Seventh, and Eleventh Judicial Circuits.
8. This extension request is made in good faith and not intended for delay, but rather due to counsel's heavy workload and to ensure the return is properly researched and prepared.
9. Opposing counsel has graciously consented to this request via interagency agreement.

WHEREFORE, undersigned counsel for Respondent respectfully requests a **three-day extension** until **September 5, 2025**, in which to complete and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances.

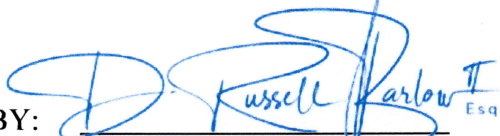
|SIGNATURE PAGE FOLLOWS|

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

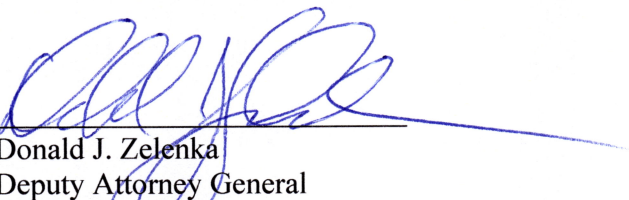
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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By: 
Donald J. Zelenka
Deputy Attorney General

August 1, 2025