

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

Certiorari to Aiken County

Honorable Brian M. Gibbons, Circuit Court Judge

LONNIE MILLER,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-000351

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

Counsel for Lonnie Miller respectfully requests an extension of thirty (30) days from September 4, 2025 until October 6, 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 Lonnie Miller 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.

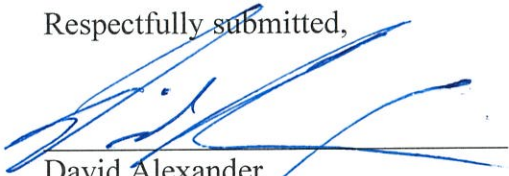
3. Counsel filed the Petition for Rehearing in the case of Jason Ervin Black v. The State with the Court of Appeals on August 11, 2025. Counsel was a presenter at a CLE in Columbia on August 9, 2025. Counsel filed the Brief of Appellant and Designation of Matter in the case of The State v. Bobbie Jo Baynard with the Court of Appeals on July 30, 2025. Counsel filed the Brief of Petitioner in the case of In the Matter of the Care and Treatment of Wiley Chapman with the Court of Appeals on July 17, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Marques Quantez Heath with the Court of Appeals on July 7, 2025. Counsel had an oral argument in The State v. Arkevus Jimon Cauthen before the Court of Appeals on June 11, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Dominick Thompson v. The State with the Supreme Court on May 30, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Courtney Cordae Richards with the Court of Appeals on May 12, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Charles Winston v. The State with the Supreme Court on May 12, 2025. Counsel had an oral argument in Jason Ervin Black v. The State before the Court of Appeals on May 7, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Timothy P. Spencer with the Court of Appeals on April 4, 2025. Counsel filed the Brief and Record on Appeal in the case of In the Matter of the Care and Treatment of Benjamin Heyward with the Court of Appeals on April 3, 2025.

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

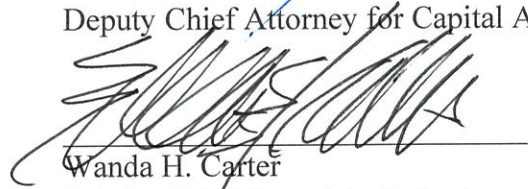
5. On August 27, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through September 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from September 4, 2025 until October 6, 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,



David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
Interim Chief Appellate Defender

This 4th day of September, 2025.