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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County

Honorable David P. Caraker, Jr., Circuit Court Judge

DAVANTA T. JOHNSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-001059

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

Counsel for Davanta T. Johnson respectfully requests a **final thirty (30) day extension, until November 5, 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 third 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 Davanta T. Johnson 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 Ricorius Lee v. The State with the Supreme Court on September 17, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nakia Johnson v. The State with the Supreme Court on September 15, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Francisco Cortes with the Court of Appeals on August 26, 2025. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ontario Staley 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. Levy Ernest Dunn with the Court of Appeals on August 6, 2025. Counsel filed the initial reply brief of appellant in the case of The State v. Melanie McClain with the Court of Appeals on July 29, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Willie Ruth Byrd v. The State with the Supreme Court on July 18, 2025. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurio D. Rivers v. The State with the Supreme Court on July 18, 2025. Counsel filed the brief of respondent in the case of Joseph Todd Rowland v. The State with the Court of Appeals on June 25, 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 September 30, 2025 for all Appellate Defense extensions through October 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until November 5, 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 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



Wanda H. Carter
Interim Chief Appellate Defender

This 6th day of October, 2025.