

October 23, 2025

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S.C. SUPREME COURT

The Honorable Patricia A. Howard
Clerk, Supreme Court of South Carolina
Post Office Box 11330
Columbia, SC 29211

Re: *Gary Dubose Terry v. State*
Appellate Case No.: 2025-001760

Dear Ms. Howard:

Counsel for Petitioner Gary Dubose Terry respectfully notifies the Court that the transcript of the post-conviction relief hearing has already been requested and received by counsel. Because counsel proactively requested the transcript, it is understood that the thirty-day period under Rule 243(d), SCACR, commenced on October 21, 2025, the date of the Court's order appointing counsel, making the deadline to file the petition for a writ of certiorari in this case November 20, 2025. Undersigned counsel respectfully requests a thirty (30) day extension, to and including December 22, 2025, in which to serve and file the petition for a total of sixty (60) days from the date of the order's filing.¹

Undersigned counsel submits this extension is justified due to the heavy workload of counsel for Mr. Terry. Specifically, Attorney Franz is also appointed to represent South Carolina death sentenced inmate Luzenski Allen Cottrell in his capital post-conviction relief proceedings and is preparing for a hearing in his case scheduled to commence in Horry County on January 12, 2026. Attorney Cruz is also assisting in preparations for Mr. Cottrell's post-conviction relief hearing. Undersigned counsel submits that this request is made in good faith and not for purposes of delay.

Sincerely,

/s/Allison Franz

Allison Franz
Brianna L. Cruz

cc:

Melody Jane Brown, Esq.
Tommy Evans, Jr., Esq.
David Alexander, Esq.

¹ Sixty days from October 21 falls on Saturday, December 20, 2025; therefore, counsel requests an extension to the subsequent Monday, December 22, pursuant to Rule 263, SCACR.