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Nov 10 2025

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Horry County

Honorable Dale Van Slambrook, Circuit Court Judge

MICHAEL J. WALTON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-001516

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

Counsel for Michael Walton respectfully requests an extension of thirty (30) days from November 10, 2025 until December 10, 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 Michael Walton 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 had an oral argument in The State v. Phillip Lawson before the Court of Appeals on November 6, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Lonnie Miller v. The State with the Supreme Court on November 4, 2025. From October 27-29, counsel had jury duty and served as a juror on the trial of a civil matter in the Court of Common Pleas in Richland County. Counsel filed the Anders Brief of Appellant in the case of The State v. Kenneth Dawson with the Court of Appeals on October 22, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and the accompanying Appendix in the case of Jason Ervin Black v. The State with the Supreme Court on October 17, 2025. Counsel attended the mandatory Annual South Carolina Public Defender Conference in Myrtle Beach, South Carolina from October 6-8, 2025. Counsel filed the Johnson Petition for Writ of Certiorari and accompanying Appendix in the case of John Green v. The State with the Supreme Court on October 3, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Demetrius Alexander Brown with the Court of Appeals on October 1, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Christova Pierre Knowlin with the Court of Appeals on September 30, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Shamar Latrell Stanley with the Court of Appeals on September 19, 2025. Counsel filed a Return to Motion to Appoint Outside Counsel in Gary Dubose Terry v. The State, a capital PCR, with the Supreme Court on September 11, 2025. Counsel spoke at the Summary Court Intensive Training on September 9, 2025. 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

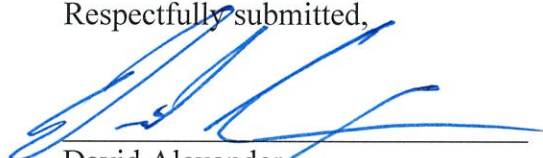
presenter at a CLE in Columbia on August 9, 2025.

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

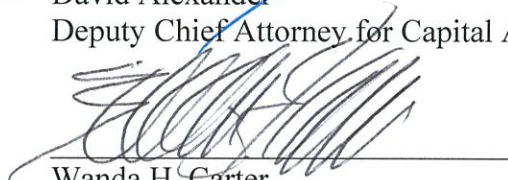
5. On October 31, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from November 10, 2025 until December 10, 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
Chief Appellate Defender

This 10th day of November, 2025.