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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lexington County

Daniel McLeod Coble, Circuit Court Judge

JAMES LEE McCOY, II,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2025-001130

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

Counsel for Petitioner respectfully requests an extension of thirty (30) days 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 Petitioner 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.

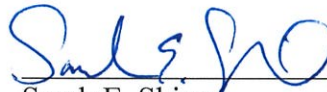
3. Counsel appeared for Oral Argument in the case of The State v. Gabriel Curry before the Court of Appeals on November 4, 2025. Counsel filed the Brief of Petitioner in the case of Jason R. Franks v. State with the Court of Appeals on October 27, 2025. Counsel filed the Brief of Respondent in the case of Eric Wells v. State with the Supreme Court on October 20, 2025. Counsel filed the Brief of Petitioner in the case of Anthony N. Briggs v. State with the Court of Appeals on October 17, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Corey T. Busch with the Court of Appeals on October 14, 2025. Counsel filed the *Johnson* Petition for Writ of Certiorari and the Appendix in the case of Theia D. McArdle v. The State with the Supreme Court on October 10, 2025. Counsel appeared before Judge R. Scott Sprouse in the Oconee County Court of General Sessions for a Reconstruction Hearing in the case of The State v. William D. Gunn on October 9, 2025. Counsel attended the annual South Carolina Public Defender Conference from October 6-8, 2025. Counsel filed the Petition for Writ of Certiorari pursuant to Austin v. State in the case of Terry McCarrell v. The State with the Supreme Court on September 16, 2025. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Terry McCarrell v. The State with the Supreme Court on September 16, 2025.

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

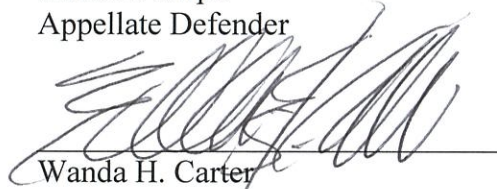
5. On October 31, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension, 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,



Sarah E. Shipe
Appellate Defender



Wanda H. Carter
Chief Appellate Defender

This 24th day of November, 2025.