

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Lexington County

Daniel McLeod Coble, Circuit Court Judge  
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JAMES LEE McCOY, II,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2025-001130  
\_\_\_\_\_

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

Counsel for petitioner respectfully requests a **final thirty (30) day extension, until January 28, 2026**, in which to 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. The Court has granted counsel two previous extensions.
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

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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 Record on Appeal in the case of State v. Nathaniel Jenkins with the Court of Appeals on December 18, 2025. Counsel filed the Anders Brief of Appellant in the case of State v. Nathaniel Jenkins with the Court of Appeals on December 17, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jesse Broughton with the Court of Appeals on November 25, 2025. 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.

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

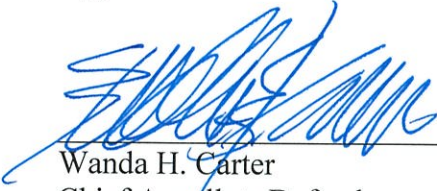
5. On November 26, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing by

Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 5, 2026.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until January 28, 2026**, in which to 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,

  
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Sarah E. Shipe  
Appellate Defender

  
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Wanda H. Carter  
Chief Appellate Defender

This 29th day of December, 2025.