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Dec 31 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

On Petition for Writ of Certiorari to the Court of Common Pleas
Appeal from Lancaster County

Honorable Jocelyn Newman, Post-Conviction Relief Judge

Appellate Case No. 2025-000560

Terry Catoe, SCDC #216913,

Petitioner,

v.

State of South Carolina,

Respondent.

**MOTION FOR A FOURTH EXTENSION TO SERVE AND FILE THE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

Counsel for Respondent respectfully moves for a **fourth** and **final** extension of thirty (30) days in which to serve and file the Return to Petition for Writ of Certiorari in this case. This is a fourth request for an extension. In support of this request, counsel shows:¹:

1. The Return to Petition for a Writ of Certiorari was due to be served and filed with the Court on December 31, 2025.

¹ In compliance with: In Re: Extensions in Criminal and Post-Conviction Relief Cases, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1).

2. Counsel for Respondent respectfully submits that extraordinary circumstances exist that warrant the granting of an additional time extension. Given the number of extensions previously granted and the order in which counsel attempts to manage her heavy caseload, Counsel hopes that no further extension requests will be required.
3. Counsel had a term of court on September 15–19, 2025, in the Eleventh Judicial Circuit, in which Counsel is preparing orders.
4. Counsel had a term of court on November 10–14, 2025, in the Fifth Judicial Circuit, in which Counsel is preparing orders.
5. Counsel had a term of court on November 17–21, 2025, in the Seventh Judicial Circuit, in which Counsel is preparing orders.
6. Counsel had a term of court on December 1–5, 2025, in the Eleventh Judicial Circuit, in which Counsel is preparing orders.
7. Counsel had a term of court on December 8–12, 2025, in the Sixth Judicial Circuit, in which Counsel is preparing orders.
8. In the last month, Counsel has had multiple PCR filings due with the lower courts in the Fifth, Seventh, Ninth, Tenth, and Eleventh Judicial Circuits.
9. This extension request is made in good faith and not intended for delay, but rather due to counsel's heavy workload and to ensure the return is properly researched and prepared.
10. Opposing counsel has graciously consented to this request via email.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to serve and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

D. RUSSELL BARLOW, II
Senior Assistant Deputy Attorney General

BY:



D. RUSSELL BARLOW, II

S.C. Bar No. 105228

Office of the Attorney General

Post Office Box 11549

Columbia, SC 29211

(803) 734-3737

ATTORNEYS FOR PETITIONER

I have reviewed and approved this extension request.

By:



DONALD J. ZELENKA

Deputy Attorney General

December 31, 2025