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Jan 06 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Cherokee County  
Honorable J. Derham Cole, Circuit Court Judge  
Appellate Case No. 2025-000603

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THE STATE,

Respondent,

vs.

JOHN BENDARIAN BONNER,

Appellant.

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**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

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Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on January 6, 2026.

**II.**

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** and **final** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Earlier today, the undersigned counsel submitted the Initial Brief of Respondent and Designation of Matter to the

Court of Appeals in State v. Marcus Christopher White. In the past few weeks, the undersigned counsel has prepared and participated in oral argument at the Court of Appeals for State v. Marc Yasin Mckeiver, State v. Joquell Wayne Myers, and State v. Jonathan Conrad Dawkins; has submitted a Return to Petition for Writ of Certiorari to the Supreme Court in Marcus Wright v. State; and has submitted a Final Brief of Respondent to the Court of Appeals in State v. Clifton Kimble, State v. Tai'Yuan Ja'Rel Jackson, and In the Matter of Jason Michael Boyle. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office.

### **III.**

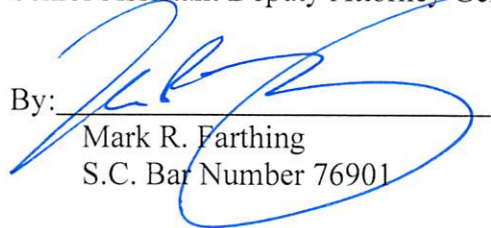
The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case involves a number of important issues related to the appellant's sentence. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload and other issues that have required the undersigned counsel's attention. Accordingly, to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

**WHEREFORE**, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

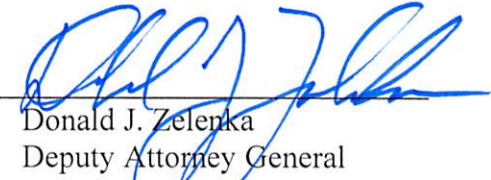
Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Senior Assistant Deputy Attorney General

By:   
Mark R. Farthing  
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By:   
Donald J. Zelenka  
Deputy Attorney General

January 6, 2026

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THE STATE,

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Appellant.

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**PROOF OF SERVICE**

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I, Grace Sommer, certify I have served the within Motion for the Fourth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individuals:

Lindsey Sterling Vann, Esquire  
lindsey@justice360sc.org

Rosalind Sarah Duval Major, Esquire  
rosalind@justice360sc.org

Brianna Lucia Cruz, Esquire  
brianna@justice360sc.org

I further certify all parties required by Rule to be served have been served.  
This 6<sup>th</sup> day of January, 2026.



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GRACE SOMMER  
Legal Assistant  
Office of the Attorney General