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Feb 19 2026

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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

Honorable William A. McKinnon, Post-Conviction Relief Judge

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Appellate Case No. 2025-001597

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Ricardo L. Middleton, #381526,

Petitioner,

v.

State of South Carolina,

Respondent.

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

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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:<sup>1</sup>:

1. The Return to Petition for a Writ of Certiorari was due to be served and filed with the Court on February 19, 2026.

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<sup>1</sup> 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 February 9<sup>th</sup> and 10<sup>th</sup> in the First Judicial Circuit, in which Counsel is preparing the orders.
4. Counsel had a term of court on February 11<sup>th</sup>, 12<sup>th</sup>, and 13<sup>th</sup> in the Eleventh Judicial Circuit, in which Counsel is preparing the orders.
5. Counsel currently has a term of court on February 16–20, 2026, in the Fifth Judicial Circuit, in which Counsel is preparing the cases.
6. Counsel is set for appearance during the term of court in the Twelfth Circuit Judicial Circuit on February 26, 2026.
7. Counsel is scheduled as a speaker at the South Carolina Bar Continuing Legal Education (CLE) Division’s “35th Annual Criminal Practice in South Carolina” Program on Friday, February 27, 2026, for which he is preparing a presentation.
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. In the last month, Counsel has submitted returns with the Court in 2024-002166, 2025-000263, and 2025-000871.
10. 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.
11. Opposing counsel has graciously consented to this request.

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.

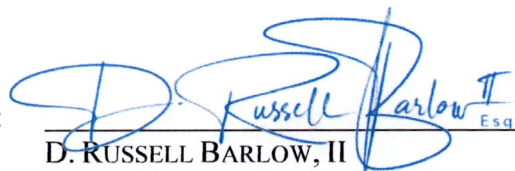
Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

D. RUSSELL BARLOW, II  
Senior Assistant Deputy Attorney General

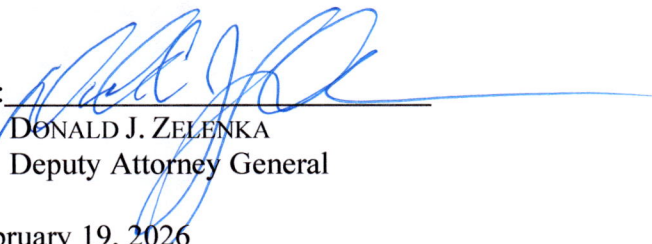
BY:



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ATTORNEYS FOR PETITIONER

I have reviewed and approved this extension request.

By:



DONALD J. ZELENKA  
Deputy Attorney General

February 19, 2026