

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Spartanburg County
Court of Common Pleas

Appellate Case No. 2025-001377

RECEIVED

Feb 25 2026

S.C. SUPREME COURT

RICKY LEE BLACKWELL

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

PETITIONER'S MOTION FOR A THIRD EXTENSION
OF TIME TO FILE APPENDIX AND PETITION FOR WRIT OF CERTIORARI

Petitioner, Ricky Lee Blackwell, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant an extension of time for thirty (30) days to file the Petition for Writ of Certiorari and the Appendix presently due for filing on March 4, 2026. The reasons for this motion are as follows:

1. This Court granted an initial extension of time on December 29, 2025, extending the filing deadline to February 2, 2026. This Court granted a second extension of time on January 29, 2026, extending the filing deadline to March 4, 2026.

2. Since the Court granted its second extension, undersigned counsel's case load has continued to interfere with their ability to complete the briefing in this case. Specifically, as noted in the prior extension request, Justice 360 had staffing turnover which required both attorneys to

be substituted as counsel in several ongoing capital post-conviction relief cases. This has severely limited undersigned counsel's ability to work on the appendix and writ of certiorari over the last two months.

3. Since counsel's previous extension request, Undersigned counsel Rosalind Major has continued efforts to bring co-counsel up to speed in *Jones v. State*, 2024-CP-32-01312, while actively conducting investigation into Mr. Jones's available claims for relief and preparing materials for the PCR court's order of a competency evaluation of her client. Further, on February 9, 2026, Attorney Major was appointed to the capital habeas case of Marion Lindsey (Case No. 2:25-mc-0903-DCN-MGB) and has devoted significant time to becoming familiar with that matter and working with her newly appointed client.

4. Undersigned counsel, Attorney Cruz, spent the past 30 days devoting substantial time to mitigation investigation and pre-trial preparation in a federal pre-authorization case and a juvenile waiver case out of Calhoun County, both matters in which she was retained ex parte as a mitigation specialist.

5. Both Attorney Cruz and Attorney Major are working on a reply in the juvenile criminal appeal of John Bonner, due for filing on February 27, 2026. *State v. Bonner*, No. 2025-000603 (S.C. Ct. App.).

6. Counsel is currently working on the petition and intends to have it finished in a timely manner. However, undersigned counsel has not yet been able to finish the petition and appendix due to a heavy workload and other issues that have required undersigned counsel's attention. Counsel will not be able to finish these by the currently scheduled deadline.

7. Petitioner's case concerns fourteen (14) claims for post-conviction relief, including factual and legal issues regarding a claim that he is intellectually disabled pursuant to *Atkins v.*

Virginia, 536 U.S. 304 (2002), which require thorough briefing. Undersigned counsel reasonably believes that an extension is needed to thoroughly and accurately brief the issues in this case.

8. Undersigned counsel contacted counsel for the State who consents to this extension request.

THEREFORE, for the reasons stated above, Petitioner respectfully submits that an extension of time is warranted for good cause and requests a thirty-day extension in which to file the Appendix and Petition for Writ of Certiorari, make them due on or before April 4, 2026.

Respectfully submitted,

s/Rosalind S.D. Major

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February 26, 2026.

¹ Allison Franz's signature appears on this motion to comply with the requirements of Section 3 of this Court's order dated March 18, 2009, which requires another attorney from counsel's firm to sign as a certification that they believe the extension is warranted and that there is good cause to seek the extension. Ms. Franz is not assisting in the preparation of Petitioner's Brief in this case.