

RECEIVED

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Mar 25 2026
S.C. SUPREME COURT

Certiorari to Greenville County

Honorable Vernon F. Dunbar, Circuit Court Judge

ROBERT DAVIS SMITH, JR.,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-002223

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

Counsel for Robert Davis Smith respectfully requests a **final thirty (30) day extension, from March 25, 2026, until April 24, 2026**, in which to serve and 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.
2. Counsel for Robert Davis Smith respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

number of extensions 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 Initial Brief of Appellant in the case of The State v. Toby Khan Armstrong with the Court of Appeals on March 23, 2026. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. Derrick Edward Gathers with the Court of Appeals on March 11, 2026. Counsel filed the Record on Appeal and Final Brief of Appellant in the case of The State v. Mustafa A. Salaam with the Court of Appeals on March 9, 2026. Counsel filed the Petition for Rehearing in the case of Erick E. Wells v. The State with the Court of Appeals on March 5, 2026. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Devonte T. Major v. The State with the Supreme Court on February 20, 2026. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Mark S. Wingo v. The State with the Supreme Court on February 13, 2026. Counsel filed the Johnson Petition for Writ of Certiorari and the Appendix in the case of James Lee McCoy, II v. The State with the Supreme Court on January 23, 2026. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Corey T. Busch with the Supreme Court and Court of Appeals on January 20, 2026. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Trampas Prater with the Court of Appeals on January 16, 2026. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. Samantha Gwen Watts with the Court of Appeals on January 9, 2026. Counsel will file the Initial Brief of Appellant and Designation of Matter in the case of The State v. John Blauvelt with the Court of Appeals on January 7, 2026. Counsel filed the Record on Appeal in the case of State v. Nathaniel Jenkins with the Court of Appeals on December 18, 2025

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

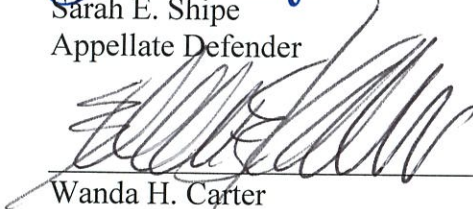
5. On February 26, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through April 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from March 25, 2026, until April 24, 2026**, in which to serve and 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,



Sarah E. Shipe
Appellate Defender



Wanda H. Carter
Chief Appellate Defender

This 25th day of March, 2026.