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Apr 21 2026

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

Appeal from Sumter County
Court of Common Pleas

The Honorable William P. Keesley, Circuit Court Judge

Appellate Case No: 2026-000115

Bobby Wayne Stone,

Respondent,

v.

State of South Carolina,

Petitioner.

**MOTION FOR THIRD EXTENSION OF TIME TO SERVE AND FILE
PETITION FOR WRIT OF CERTIORARI AND APPENDIX**

The undersigned counsel would respectfully request a third extension of thirty (30) day in which to serve and file the Petition for Writ of Certiorari and Appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following good cause.

Respondent's Petition for Writ of Certiorari and Appendix is due Wednesday, April 22, 2026. The undersigned attorney has had a number of state and federal matters to attend since March 20, 2026. Specifically,

1. Counsel prepared and filed the Return to Petition for Writ of Certiorari in the direct appeal matter of The State v. Marcus Batson, Appellate Case No. 2026-000009, on March 23, 2026;

2. Counsel attended a hearing consisting of two half-days in the Greenville County capital matter of Richard Wood v. State of South Carolina, C/A No. 2022-CP-23-06219, on March 24–25, 2026;
3. Counsel filed the Respondent’s Motion to Hold in Abeyance in the matter of Chevis Morris, #3352985 v. Warden, Allendale Correctional Institution, C/A No. 2:25-12367-DCN-MGB, a matter in federal court, on March 27, 2026;
4. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Justin Rashawn Simms v. Warden of Evans Correctional Institution, C/A No: 9:25-06429-JFA-MHC, a matter in federal court, on April 6, 2026;
5. Counsel filed the Final Brief of Respondent on April 8, 2026, in the matter of The State v. Gene Alexzander Scott, Appellate Case No. 2024-00900, a matter pending in the Court of Appeals;
6. Counsel filed the Motion for Summary Judgment and Memorandum of Law on April 9, 2026, in the matter of Theodore J. Bolick, a/k/a Theodore Jerry Bolick, C/A No.: 5:24-7662-MGL-KDW, a matter in federal court;
7. Counsel prepared and filed Respondent’s Reply to Petitioner’s Response in Opposition to Respondent’s Motion for Summary Judgment [ECF No. 30] and Response to Petitioner’s Supplemental Briefing [ECF No. 33] in the matter of Omar Shariff Gentile v. Randall Williams, A.C.I., C/A No. 4:25-13140-SAL-TER, a matter in federal court, on April 13, 2026; and
8. Counsel is currently preparing the Initial Brief of Respondent in the matter of The State v. Mark Hamilton, Appellate Case No. 2025-001185, a matter pending in the Court of Appeals, due April 22, 2026;
9. Counsel is working on other state and federal matters, and this request is not made for the purpose of delay but due to the foregoing.

Due to counsel’s involvement in these and other matters pending in state and federal court, counsel for Petitioner moves this Court to enlarge the time for filing the petition in this matter by granting a thirty (30) day extension of time, and ordering the petition to be filed on or before May 22, 2026. This request is made in good faith, and not for the purpose of delay.

WHEREFORE, for good cause shown, counsel respectfully requests a thirty (30) day extension of time to serve and file the Petition for Writ of Certiorari and Appendix.

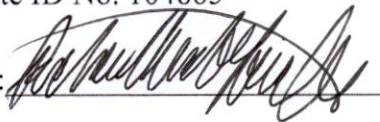
Respectfully submitted,

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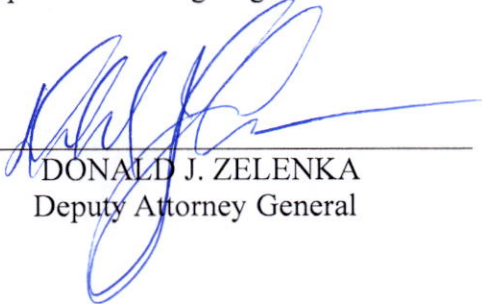
By: 

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April 21, 2026

ATTORNEYS FOR PETITIONER

I support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General