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May 08 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 Laurens County  
Court of Common Pleas  
The Honorable J. Derham Cole, Circuit Court Judge

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Appellate Case No. 2025-001249

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Stephen Trase Fincher,

Petitioner,

v.

State Of South Carolina,

Respondent.

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**MOTION FOR A FOURTH EXTENSION OF TIME 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:

1. The Return to Petition for a Writ of Certiorari is due to be served and filed with the Court today, May 8, 2026.
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 his heavy caseload, Counsel hopes that no further extension requests will be required.

3. Counsel had a term of court April 21-22, 2026, in the Sixteenth Circuit, in which Counsel is preparing the orders.
4. Counsel had an out-of-term hearing in Aiken on April 23, 2026, in Aiken County.
5. Counsel had a term of court May 4-8, 2026, including hearings today, in the Second Circuit.
6. Since the last extension request, Counsel has filed Returns to PCR applications in the following cases: 2020-05-00142, 2025-CP-02-01883, 2024-CP-02-02714.
7. Counsel has additionally been working on proposed orders due for prior PCR terms.
8. 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.
9. Opposing counsel has graciously consented to this request via interagency agreement.

**[SIGNATURE PAGE FOLLOWS]**

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

W. JEFFREY YOUNG  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Deputy Attorney General


D. RUSSELL BARLOW, II  
Senior Assistant Deputy Attorney General

TRAVIS CRUISE MITCHELL  
Assistant Attorney General  
S.C. Bar No. 105682

BY: s/Travis Cruise Mitchell  
Travis Cruise Mitchell  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By:   
D. Russell Barlow, II  
Senior Assistant Deputy Attorney General

This 8<sup>th</sup> day of May, 2026.

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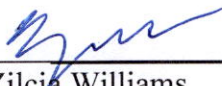
**PROOF OF SERVICE**

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I, Zilcia Williams, certify that I have served one copy of the Respondent's Motion for a Fourth Extension to Time to Serve and File the Return to Petition for Writ of Certiorari on David Alexander, Esquire, counsel of record for the Petitioner, by electronic mail to the e-mail address listed for counsel in the Attorney Information System (AIS):

**David Alexander, Esquire**  
**dalexander@sccid.sc.gov**

I further certify that all parties required by Rule to be served, have been served this 8<sup>th</sup> day of May, 2026.

  
\_\_\_\_\_  
Zilcia Williams  
Legal Assistant for Respondent  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737