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May 15 2026

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Oconee County

Honorable Jane H Merrill, Circuit Court Judge

CLIFTON E. SMITH,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2026-000029

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

Counsel for Clifton Eugene Smith respectfully requests a **final thirty (30) day extension, from May 15, 2026 until June 15, 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 Clifton Eugene 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 Petition for Writ of Certiorari to the Court of Appeals and the Appendix in the case of The State v. Ronald Lee Lyons with this Court on May 13, 2026. Counsel filed the Return to Petition for Rehearing in the case of Maurice Anthony Odom v. The State with the Court of Appeals on May 12, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Adrian V. Simmons v. The State with this Court on May 6, 2026. Counsel filed the Brief of Appellant in the case of The State v. Ryan Oneal Gist with the Court of Appeals on May 6, 2026. Counsel appeared for Oral Argument in the case of The State v. Samir Kevin Shank before this Court on April 21, 2026. Counsel filed the Brief of Appellant and the Record on Appeal in the case of The State v. Christopher Robert White with the Court of Appeals on April 20, 2026. Counsel appeared for Oral Argument in the case of The State v. Calvin D. Ford before the Court of Appeals on April 6, 2026. Counsel appeared for Oral Argument in the case of The State v. Tirik Jaquan Johnson-Epps before this Court on March 31, 2026. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Jerelle Hickson with the Court of Appeals on March 30, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Darrell E. Raines v. The State with this Court on March 23, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Larry Durant v. The State with this Court on March 23, 2026.

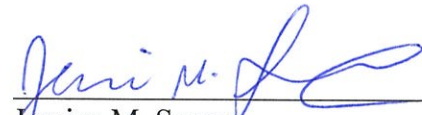
4. Counsel makes this request in good faith and not for purpose of delay.

5. On April 29, 2026, opposing counsel, the Attorney General's Office, graciously

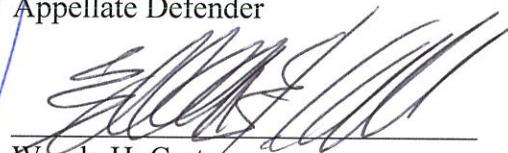
consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from May 15, 2026 until June 15, 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,



Jessica M. Saxon
Appellate Defender



Wanda H. Carter
Chief Appellate Defender

This 15th day of May, 2026.