

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

Honorable Jocelyn Newman, Circuit Court Judge

GARY NELSON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2026-000487

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

Counsel for Gary Nelson respectfully requests a **final thirty (30) day extension, from August 5, 2026 until September 4, 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 Gary Nelson respectfully submits that extraordinary circumstances

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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 and Designation of Matter in the case of The State v. Dandre Ravon-Larenz Bloome with the Court of Appeals on July 27, 2026. Counsel filed the Brief of Petitioner in the case of Abin Lowman v. The State with this Court on July 17, 2026. Counsel filed the Brief of Petitioner in the case of The State v. James Orian Gregory with this Court on July 14, 2026. Counsel filed the Petition for Rehearing in the case of The State v. Paul E. Lamberth, Jr. with the Court of Appeals on July 9, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the post-conviction DNA testing case of Jody Lynn Ward v. The State with the Court of Appeals on July 8, 2026. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Steven Samuel with the Court of Appeals on June 29, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Clifton E. Smith v. The State with this Court on June 15, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Kristi R. Powell v. The State with this Court on June 5, 2026.

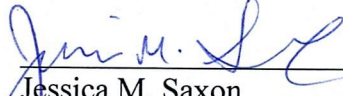
4. Counsel makes this request in good faith and not for purpose of delay.

5. On August 3, 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 September 1, 2026.

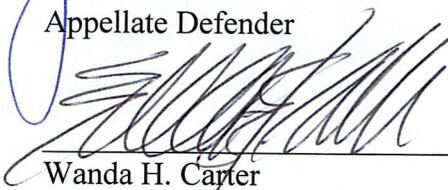
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30)**

day extension from August 5, 2026 until September 4, 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 5th day of August, 2026.