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Oct 20 2026

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
In The Supreme Court

On Petition for Writ of Certiorari to the Court of Common Pleas
Appeal from Spartanburg County
The Honorable William C. McMaster, III, Post-Conviction Relief Judge

Appellate Case No. 2026–001000

JADEN I. GARY, #385880,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**MOTION TO FILE OUT OF TIME AND MOTION FOR
FIRST EXTENSION TO FILE RETURN TO PETITION
FOR WRIT OF CERTIORARI**

Respondent, the State of South Carolina, moves this Court, out of time, for a first thirty-day extension of time in which to file the Return to Petition for Writ of Certiorari up to and including **November 18, 2026**. This is Respondent's first request for an extension in which to file the return, which was due to be filed and served on October 19, 2026. Due to a calendar oversight, undersigned counsel missed the deadline.

Counsel is currently preparing for three back-to-back terms of court beginning November 9th in the Fifteenth Judicial Circuit, November 16th in the Fifth Judicial Circuit, and November 16th in the Fourth Judicial Circuit.

This extension request is not intended for purposes of delay but rather is due to counsel's heavy workload and to ensure the return is properly researched and prepared. Opposing counsel has graciously consented to this request via inter-agency agreement.

WHEREFORE, undersigned counsel for Respondent respectfully requests a first **thirty-day extension**, until **November 18, 2026**, to complete and file the Return to Petition for Writ of Certiorari in this case based on the above circumstances.

Respectfully submitted,

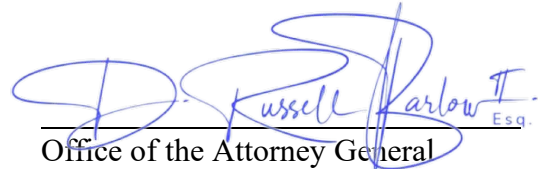
ALAN WILSON
Attorney General

W. JEFFREY YOUNG
Chief Deputy Attorney General

DONALD J. ZELENKA
Deputy Attorney General

D. RUSSELL BARLOW, II
Senior Assistant Deputy Attorney General
S.C. Bar No. 105228

BY:

A handwritten signature in blue ink, appearing to read "D. Russell Barlow II", is written over a horizontal line. To the right of the signature, the letters "Esq." are printed in a small font.

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October 20, 2026

ATTORNEYS FOR RESPONDENT