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Jan 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIAM ARTHUR KELLY,

APPELLANT

APPELLATE CASE NO. 2024-001153

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for William Arthur Kelly respectfully requests a thirty (30) day extension from January 3, 2025 until February 3, 2025 in which to serve and file the Initial Brief of Appellant and Designation of Matter 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 Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.
2. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Darius G. Dickey with the Court of Appeals today, January 3, 2025. Counsel

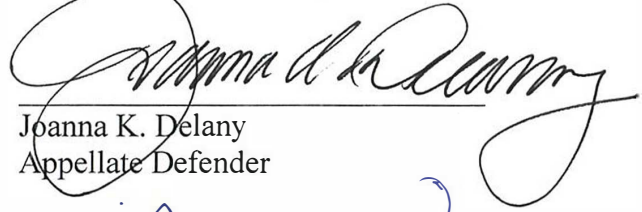
filed the *Johnson* Petition for Writ of Certiorari in the case of Courtney E. Brock v. State with the Supreme Court on December 3, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kevin Lawrence Pearson v. State with the Supreme Court on November 21, 2024. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Wanda Jane Crumpton with the Supreme Court on November 18, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Benjamin L. Nation with the Court of Appeals on November 8, 2024.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On December 31, 2024, 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 January 31, 2025.

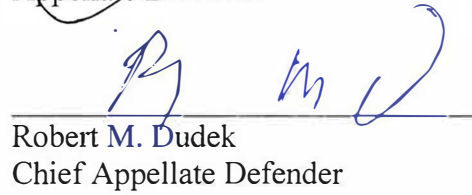
WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 3, 2025 until February 3, 2025. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Handwritten signature of Joanna K. Delany in black ink, written over a horizontal line.

Joanna K. Delany
Appellate Defender



Handwritten signature of Robert M. Dudek in blue ink, written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

This 3rd day of January, 2025.

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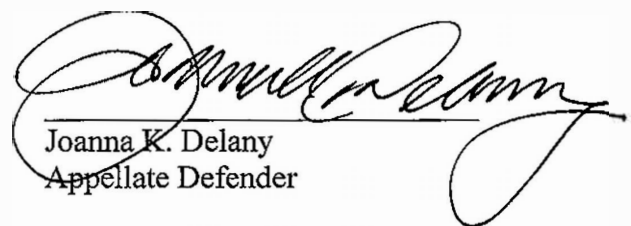
WILLIAM ARTHUR KELLY,

APPELLANT

APPELLATE CASE NO. 2024-001153

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 3rd day of January, 2025.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Mcinnis, Sara](#)
To: mbrown@scag.gov
Cc: abennett@scag.gov; [Delany, Joanna](#)
Subject: 2024-001153 The State v. William A. Kelly Extension 3
Date: Friday, January 3, 2025 4:28:00 PM
Attachments: [2024-001153 The State v. William A. Kelly Extension 3.pdf](#)

Good Afternoon Ms. Brown,

Attached for service in the above-referenced case is the third motion for extension, which will be filed with the Court of Appeals today, January 3, 2025, via email filing.

Thank you,

Sara McInnis

Administrative Assistant
South Carolina Commission on Indigent Defense
Appellate Division
(803) 734-1330