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Feb 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County

Honorable Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

WILLIAM ARTHUR KELLY,

APPELLANT

APPELLATE CASE NO. 2024-001153

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

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Counsel for William Arthur Kelly respectfully requests a **fourth and final thirty (30) day extension from February 3, 2025 until March 5, 2025** in which to serve and file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 with the Court today.
2. Counsel for William Arthur Kelly 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.

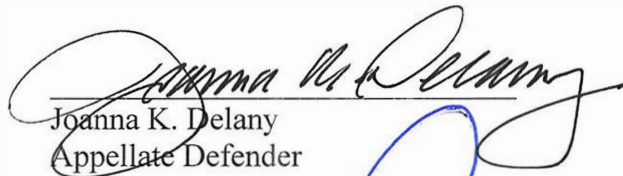
3. Counsel filed the Petition for Rehearing in the case of The State v. Terry Gridine with the Court of Appeals on January 23, 2025. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Travontae Mitchell with the Court of Appeals on January 13, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Darius G. Dickey with the Court of Appeals on 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.

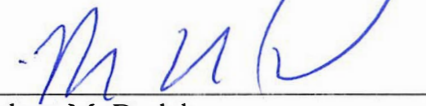
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

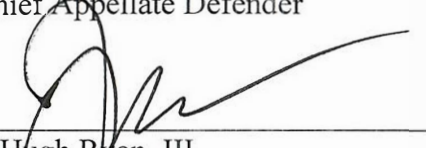
5. On January 31, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from February 3, 2025 until March 5, 2025** in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
Joanna K. Delany  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

  
J. Hugh Ryan, III  
Executive Director/  
Hervey B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training Director

This 3rd day of February, 2025.

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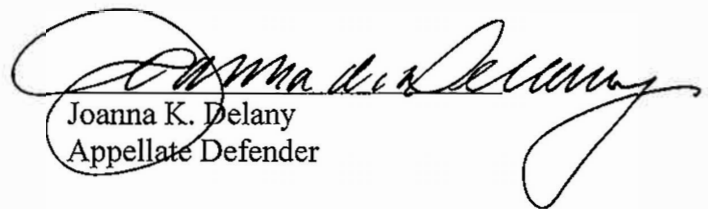
APPELLATE CASE NO. 2024-001153

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CERTIFICATE OF SERVICE

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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 February, 2025.



Joanna K. Delany  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Mcinnis, Sara](#)  
**To:** [mbrown@scag.gov](mailto:mbrown@scag.gov)  
**Cc:** [abennett@scag.gov](mailto:abennett@scag.gov); [Delany, Joanna](#)  
**Subject:** 2024-001153 The State v. William A. Kelly Extension 4  
**Date:** Monday, February 3, 2025 10:36:00 AM  
**Attachments:** 2024-001153 The State v. William A. Kelly Extension 4.pdf

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Good Morning Ms. Brown,

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

Thank you,

**Sara McInnis**

Administrative Assistant

South Carolina Commission on Indigent Defense

Appellate Division

(803) 734-1330