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Feb 24 2025

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Berkeley County

Honorable Clifton Newman, Circuit Court Judge

JOHNNY LEE IRBY,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2024-001262

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

Counsel for Johnny Lee Irby respectfully requests a **final thirty (30) day extension, from February 24, 2025 until March 26, 2025** 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 Johnny Lee Irby 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.

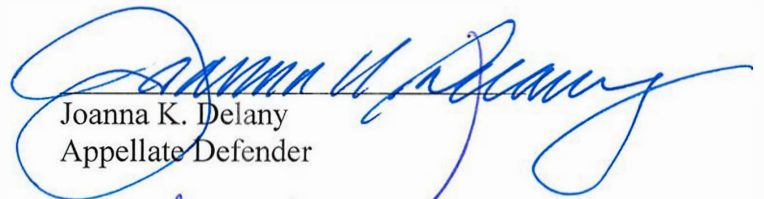
3. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Natalia Chisolm v. State with the Supreme Court on February 19, 2025. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Nick Evangelista v. State with the Supreme Court on February 14, 2025. Counsel appeared for Oral Argument in the case of In the Interest of Khalid J., A Juvenile Under the Age of Seventeen before the Court of Appeals on February 11, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Tiffany R. Owens with the Court of Appeals on February 3, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Terry Gridine with the Court of Appeals on January 23, 2025.

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

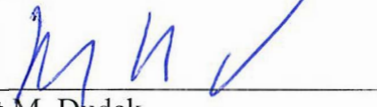
5. On January 31, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 28, 2025.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from February 24, 2025 until March 26, 2025** 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,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 24th day of February, 2025.