

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
May 12 2025
SC Court of Appeals

Appeal from Jasper County

Marvin H Dukes, III, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBBY WILLIE TRACY,

APPELLANT

APPELLATE CASE NO. 2024-001581

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

Counsel for Robby Willie Tracy respectfully requests a thirty (30) day extension from May 12, 2025 until June 11, 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. Christopher A. Cravets with the Court of Appeals on May 5, 2025. Counsel

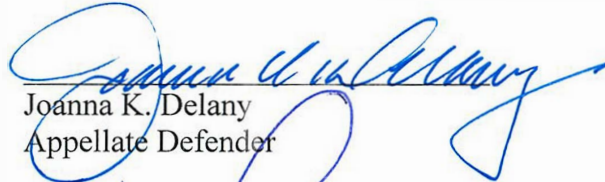
appeared for Oral Argument in the case of The State v. Ray Kelly before the Court of Appeals on April 16, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Dwight A. Powell, Jr. with the Court of Appeals on April 9, 2025. Counsel appeared for Oral Argument in the case of The State v. Marcus A. Wigfall before the Court of Appeals on April 8, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Marquise D. Franklin with the Court of Appeals on March 27, 2025. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Johnny Lee Irby v. State with the Supreme Court on March 12, 2025. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. William A. Kelly with the Court of Appeals on March 5, 2025.

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.

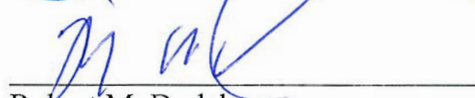
4. On April 30, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from May 12, 2025 until June 11, 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,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 12th day of May, 2025.

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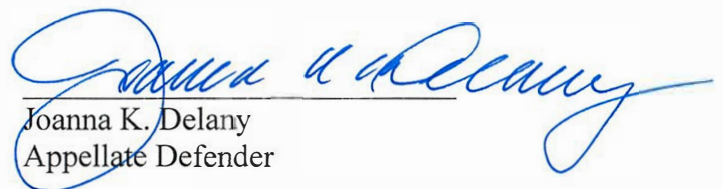
ROBBY WILLIE TRACY,

APPELLANT

APPELLATE CASE NO. 2024-001581

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 Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 12th day of May, 2025.


Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT