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Jun 16 2025

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Honorable R. Lawton McIntosh, Circuit Court Judge

TROY BRAXTON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2025-000381

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

Counsel for Troy Braxton respectfully requests an extension of thirty (30) days from June 16, 2025 until July 16, 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 second 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 Troy Braxton 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 his caseload, counsel hopes that no further extension requests will be required.

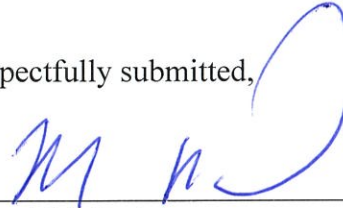
3. Counsel filed the Memorandum on Appealability in the case of The State v. Casey Douglas with this Court on Monday, June 9, 2025. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of William Tyrone Tate v. The State with the Supreme Court on Friday, June 6, 2025. Counsel filed the Reply to Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Bowen Gray Turner with the Supreme Court on Monday, June 2, 2025. Counsel is also working on the Brief of Respondent in the case of State v. Kierin Dennis, which will be filed in the Supreme Court on June 23, 2025 or shortly thereafter. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Tyriese Robinson with this Court on May 22, 2025. Counsel appeared before this Court for Oral Argument in the case of The State v. James M. Brown on Tuesday, May 6, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Bowen Turner with the Supreme Court on April 25, 2025. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Gregory G. Benjamin with this Court on April 30, 2025. **Counsel also has extensive administrative duties as the Chief Appellate Defender, including attempting to hire another Appellate Defender while carrying a full caseload.**

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

5. On May 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 June 30, 2025.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from June 16, 2025 until July 16, 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 serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

This 16th day of June, 2025.