

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County

The Hon. Dale E Van Slambrook, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

AUBREY DUPREE TUCKER,

APPELLANT

APPELLATE CASE NO. 2025-000663

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

Counsel for Aubrey Tucker respectfully requests a **fourth and final thirty (30) day extension from December 17, 2025, until January 16, 2026**, 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 Aubrey Tucker 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.

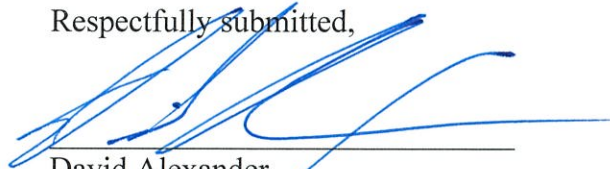
3. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Jamie S. Gadson v. The State with the Supreme Court on December 17, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. Demetrius Alexander Brown with the Supreme Court on December 11, 2025. Counsel filed the Brief of Appellant in the case of The State v. Akevious Dayquan Lindsey with the Court of Appeals on December 3, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Adam D. Lawless with the Court of Appeals on November 20, 2025. Counsel filed the Brief of Appellant in the case of The State v. Ryan O'Neil Woodruff with the Court of Appeals on November 19, 2025. Counsel had an oral argument in The State v. William McKinney before the Court of Appeals on November 12, 2025. Counsel filed the Petition for Rehearing in the case of Desmond Green v. The State with the Court of Appeals on November 10, 2025. Counsel had an oral argument in The State v. Phillip Lawson before the Court of Appeals on November 6, 2025. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Lonnie Miller v. The State with the Supreme Court on November 4, 2025. From October 27-29, counsel had jury duty and served as a juror on the trial of a civil matter in the Court of Common Pleas in Richland County. Counsel filed the Brief of Appellant in the case of The State v. Kenneth Dawson with the Court of Appeals on October 22, 2025.

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.

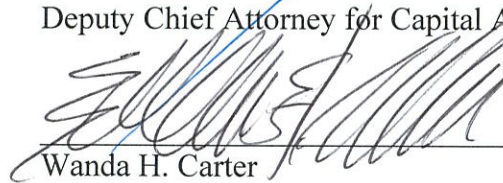
5. On November 26, 2025, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 5, 2026.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from December 17, 2025, until January 16, 2026**, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

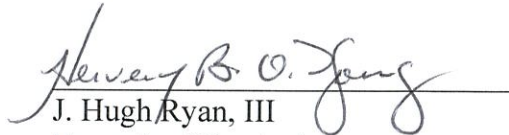
Respectfully submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
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 17th day of December 2025.

RECEIVED

Dec 17 2025

SC Court of Appeals

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Appeal from Berkeley County

Honorable The Hon. Dale E Van Slambrook, Circuit Court Judge

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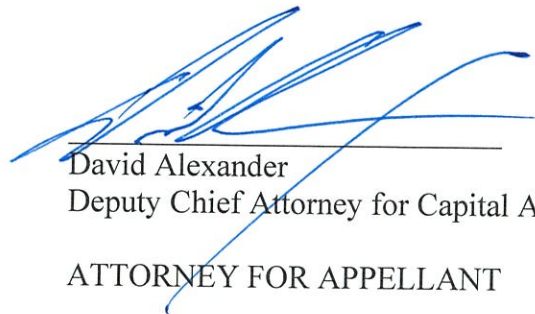
AUBREY DUPREE TUCKER,

APPELLANT

APPELLATE CASE NO. 2025-000663

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 17th day of December 2025.



David Alexander
Deputy Chief Attorney for Capital Appeals
ATTORNEY FOR APPELLANT

Bast, Daniel

From: Bast, Daniel
Sent: Wednesday, December 17, 2025 1:05 PM
To: mbrown@scag.gov
Cc: Alexander, David; abennett@scag.gov
Subject: 2025-000663 - The State v. Aubrey Dupree Tucker
Attachments: 2025-000663 - The State v. Aubrey Dupree Tucker - Fourth Extension Request.pdf

Good afternoon,

Attached is a copy of a fourth extension request in the above referenced case which will be filed today, December 17, 2025, with the Court of Appeals.

All the best,

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