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Feb 05 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable Heath P. Taylor, Circuit Court Judge
Appellate Case No. 2024-001916

THE STATE,

Respondent,

vs.

WILLIS TERREL IVEY,

Appellant.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on February 5, 2026.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Earlier this week, the undersigned counsel submitted an Initial Brief of Respondent and Designation of Matter to the Court of

Appeals in State v. Levy Ernest Dunn, III and submitted a Final Brief of Respondent to the Court of Appeals in State v. Cory Howerton Fleming. Additionally, in the past few weeks, the undersigned counsel has submitted a Return to Petition for Writ of Certiorari to the Supreme Court in State v. Corey Tyler Busch and State v. Ronzell Bilah Olds; has submitted an Initial Brief of Respondent and Designation of Matter to the Court of Appeals in State v. Jason Connell Palmer; has submitted a Return to Petition for Rehearing to the Court of Appeals in State v. Jakavis Green; has submitted a Letter in Lieu of a Formal Return to a Petition for Writ of Mandamus to the Supreme Court in Larry A. White v. State; has submitted a Final Brief of Respondent to the Court of Appeals in State v. George Smith; and has submitted a Return to Motion for Appeal Bond to the Court of Appeals in State v. Carles Brandon Scruggs. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case involves several issues, including one alleging a constitutional speedy trial violation occurred. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload and other issues that have required the undersigned counsel's attention. Accordingly, to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

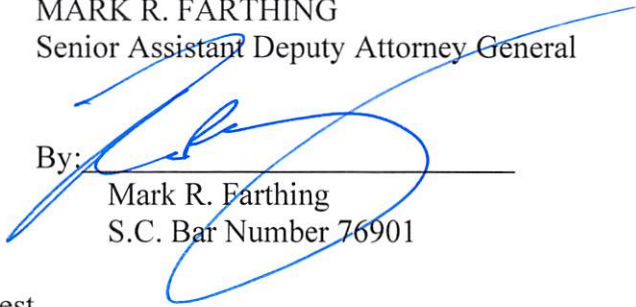
WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days

from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

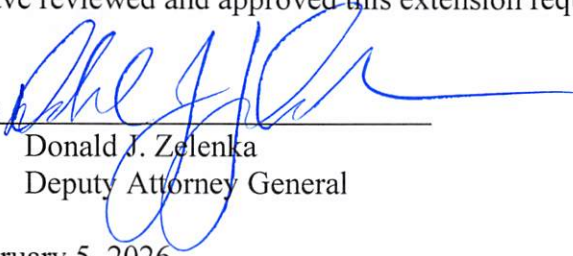
Respectfully submitted,

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Deputy Attorney General

By: 
Mark R. Farthing
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By: 
Donald J. Zelenka
Deputy Attorney General

February 5, 2026

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Appellant.

PROOF OF SERVICE

I, Caroline Collins, certify I have served the within Motion for the Fourth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

Molly M. Keegan, Esquire
SC Commission on Indigent Defense
Office of Appellate Defense
1330 Lady Street, Suite 401
Columbia, SC 29201

I further certify all parties required by Rule to be served have been served.
This 5th day of February, 2026.



CAROLINE COLLINS
Administrative Support Manager
Office of the Attorney General