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Jul 29 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Thomas J. Rode, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIE LEO DARBY,

APPELLANT

APPELLATE CASE NO. 2025-001941

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

Counsel for Willie Darby respectfully requests a thirty (30) day extension from July 29, 2026 until August 28, 2026, 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 Brief of Petitioner in the case of Abin Lowman v. The State with

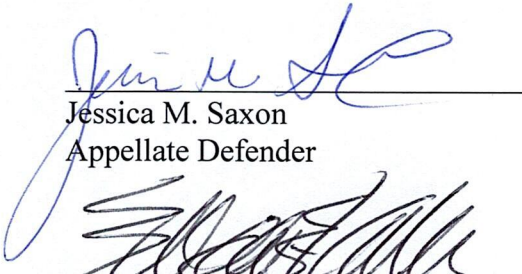
the Supreme Court on July 17, 2026. Counsel filed the Brief of Petitioner in the case of The State v. James Orian Gregory with the Supreme Court on July 14, 2026. Counsel filed the Petition for Rehearing in the case of The State v. Paul E. Lamberth, Jr. with this Court on July 9, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Jody Lynn Ward v. The State with this Court on July 8, 2026. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Steven Samuel with this Court on June 29, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Clifton E. Smith v. The State with the Supreme Court on June 15, 2026. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Kristi R. Powell v. The State with the Supreme Court on June 5, 2026. Counsel filed the Petition for Rehearing in the case of Samir Kevin Shank v. The State with the Supreme Court on May 21, 2026.

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.

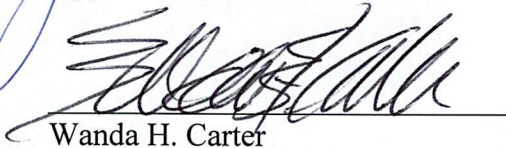
4. On July 2, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from July 29, 2026 until August 28, 2026. 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,



Jessica M. Saxon
Appellate Defender



Wanda H. Carter
Chief Appellate Defender

This 29th day of July, 2026.

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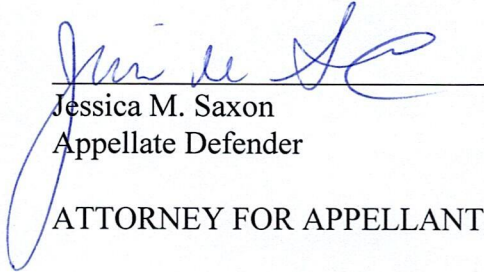
WILLIE LEO DARBY,

APPELLANT

APPELLATE CASE NO. 2025-001941

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 29th day of July, 2026.


Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

Warren, Kaylynn

From: Warren, Kaylynn
Sent: Wednesday, July 29, 2026 9:58 AM
To: Melody Brown
Cc: Saxon, Jessica; 'abennett@scag.gov'
Subject: 2025-001941 The State v. Willie Leo Darby
Attachments: 2025-001941 The State v. Willie Leo Darby Third Motion for Extension.pdf

Good Morning,

Attached for service in the above-referenced case is the Third Motion for Extension which will be filed today, July 29, 2026, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330

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