

RECEIVED
Aug 28 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 **fourth and final thirty (30) day extension from August 28, 2026 until September 28, 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 Willie Darby 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 her caseload, counsel hopes that no further extension requests will be required.

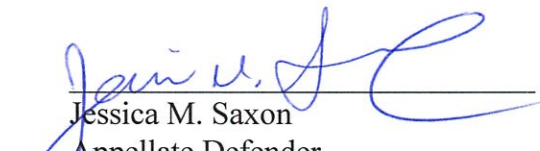
3. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of Derrick Miller v. The State with the Supreme Court on August 26, 2026. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Kieky Dawn Williams Durham with this Court on August 24, 2026. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and the Appendix in the case of The State v. Paul Elbert Lamberth, Jr. with the Supreme Court on August 14, 2026. Counsel filed the Brief of Petitioner in the case of Billy J. Geisendorff v. The State with this Court on August 7, 2026. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Dandre Ravon-Larenz Bloome with this Court on July 27, 2026. 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 post-conviction DNA testing case of Jody Lynn Ward v. The State with this Court on July 8, 2026.

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.

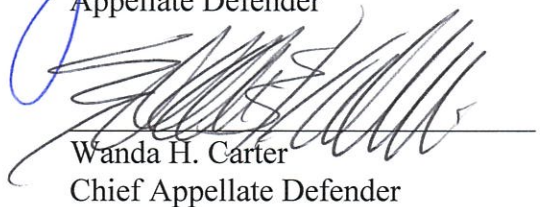
5. On August 27, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension from August 28, 2026 until September 28, 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.

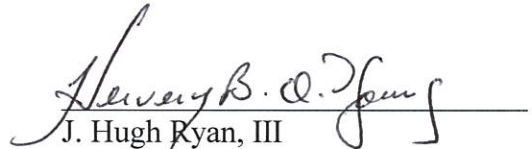
Respectfully submitted,



Jessica M. Saxon
Appellate Defender



Wanda H. Carter
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervy B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 28th day of August, 2026.

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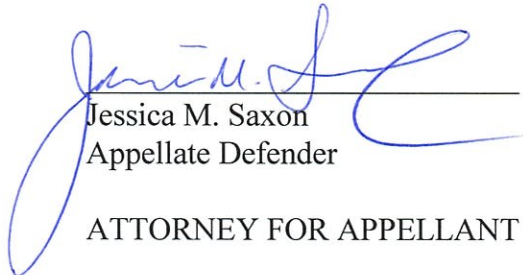
WILLIE LEO DARBY,

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 28th day of August, 2026.


Jessica M. Saxon
Appellate Defender

ATTORNEY FOR APPELLANT

Stock, Chris

From: Stock, Chris
Sent: Friday, August 28, 2026 10:03 AM
To: Melody Brown; Angela Brown
Cc: Saxon, Jessica; Warren, Kaylynn
Subject: 2025-001941 The State v. Willie Leo Darby Fourth Motion for Extension
Attachments: 2025-001941 The State v. Willie Leo Darby Fourth Motion for Extension.pdf

Ms. Brown,

Please find attached for service the 4th Extension Request for the Initial Brief of Appellant and Designation of Matter for Willie Leo Darby's appeal which will be filed with the Court of Appeals today.

If you have any questions, please let me know.

Thank you,

Chris Stock
Administrative Coordinator
Commission on Indigent Defense
Appellate Division
(803) 734-1330

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