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Feb 15 2024

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Dillon County

Honorable J. Derham Cole, Circuit Court Judge

TYREEK HAYES,

RESPONDENT

V.

STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2023-000914

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

Counsel for Tyreek Dashawn Hayes respectfully requests an extension of thirty (30) days from February 15, 2024, until March 18, 2024, in which to serve and file the Return to Petition for Writ of Certiorari 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 Return to Petition for Writ of Certiorari is due to be served and filed with the Court today.
2. Counsel for Tyreek Dashawn Hayes 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.

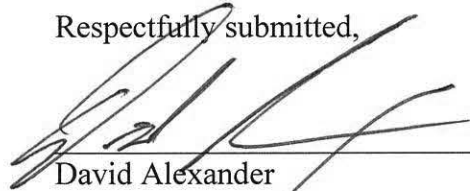
3. Counsel is filing the Brief of Petitioner in the case of The State v. Rashawn Carter with this Court on February 16, 2024. Counsel is filing the Petition for Rehearing in the case of The State v. Correy Brown with the Court of Appeals on February 16, 2024. Along with Chief Appellate Defender Robert M. Dudek and co-counsel Lara M. Caudy, Counsel filed the Reply in Support of Petition for a Writ of Certiorari in the case of The State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court on February 2, 2024. Counsel filed the Brief of Appellant in the case of In the Matter of the Care and Treatment of Merrild Stewart with the Court of Appeals on February 1, 2024. Counsel filed the Reply in Support of Petition for a Writ of Certiorari in the case of State of South Carolina v. Mary Ann German with the United States Supreme Court on January 30, 2024. Counsel filed the Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Joey C. Reid with this Court on January 26, 2024. Counsel filed the brief of appellant in the case of The State v. Matthew Hogan with the Court of Appeals on January 16, 2024. Counsel filed the Brief of Respondent-Petitioner in the case of Jason Black v. The State with the Court of Appeals on December 20, 2023. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Edna Sluder v. The State with this Court on December 6, 2023.

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

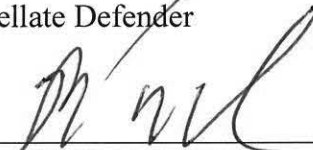
5. On January 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 29, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from February 15, 2024, until March 18, 2024, in which to serve and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Return to Petition for Writ of Certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 15th day of February, 2024.