

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County

Honorable Daniel McLeod Coble, Circuit Court Judge

ANDRE T. HEATLEY, JR.

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001526

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

Counsel for Andre Tyrone Heatley respectfully requests an extension of thirty (30) days from March 6, 2024 until April 5, 2024 in which to serve and file the Petition for Writ of Certiorari and Appendix 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 Petition for Writ of Certiorari and Appendix are due to be served and filed with the Court today.
2. Counsel for Andre Tyrone Heatley respectfully submits that extraordinary

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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 Brief of Appellant and Record on Appeal in the case of The State v. Kenneth E. Parker with the Court of Appeals on February 28, 2024. Counsel filed the Initial Reply Brief of Appellant in the case of The State v. Justin Tyler Ellaree Hopkins with the Court of Appeals on February 20, 2024. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Carnie Norris with this Court on February 16, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Martin Dixon with the Court of Appeals on February 15, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Trenton M. Barnes v. The State with this Court on February 15, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Lee Dell Bradley v. The State with this Court on February 8, 2024. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Levy Larkin Brown v. The State with this Court on January 26, 2024. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State v. Driscoll Riggins, Jr. with the Court of Appeals on January 25, 2024. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Jody Thompson v. The State with this Court on January 16, 2024. Counsel filed the Petition for Rehearing in the case of The State v. Carnie Norris with the Court of Appeals on January 4, 2024.

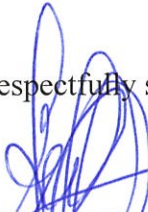
4. Counsel makes this request in good faith and not for purpose of delay.

5. On February 28, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by

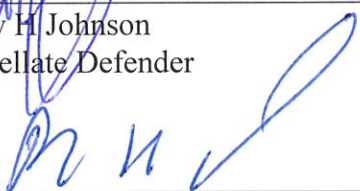
Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension from March 6, 2024 until April 5, 2024, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for serving and filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Gary H. Johnson
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 6th day of March, 2024.