

Mar 18 2024

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Dillon County

Honorable , Circuit Court Judge

TYREEK HAYES,

RESPONDENT

V.

STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2023-000914

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

Counsel for Tyreek Dashawn Hayes respectfully requests a **final thirty (30) day extension, from March 18, 2024, until April 17, 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 third 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.

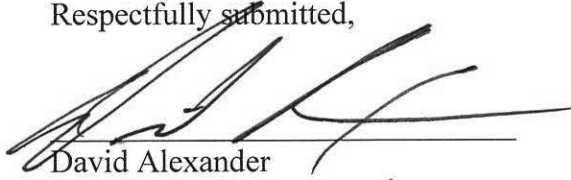
3. Counsel filed the Brief of Petitioner in the case of The State v. Rashawn Vertez Carter with this Court on February 20, 2024. Along with Chief Appellate Defender Robert M. Dudek and co-counsel Lara M. Caudy, Counsel filed the Reply in Support of Petition for a Writ of Certiorari in the case of The 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 Merrilld 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.

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

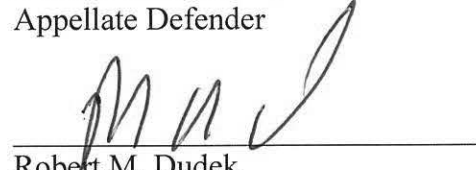
5. On February 28, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through March 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from March 18, 2024, until April 17, 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 filing the Return to Petition for Writ of Certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Alexander', written over a horizontal line.

David Alexander
Appellate Defender

A handwritten signature in black ink, appearing to read 'R. M. Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

This 18th day of March, 2024.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Dillon County

Honorable , Circuit Court Judge

TYREEK HAYES,

RESPONDENT

V.

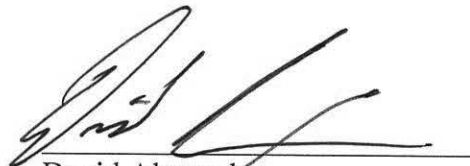
STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2023-000914

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 Mark Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 18th day of March, 2024.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER