

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Richland County

Honorable Daniel McLeod Coble, Circuit Court Judge

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ANDRE T. HEATLEY, JR.

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001526

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

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Counsel for Andre Tyrone Heatley respectfully requests a **final thirty (30) day extension, from April 5, 2024 until May 6, 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 third 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 appeared for Oral Argument in the case of The State v. Phillip Lowery before this Court on March 26, 2024. Counsel filed the Return to Motion to Remand in the case of In the Matter of the Care and Treatment of Jeremiah James Pough with the Court of Appeals on March 7, 2024. Counsel filed the Anders 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.

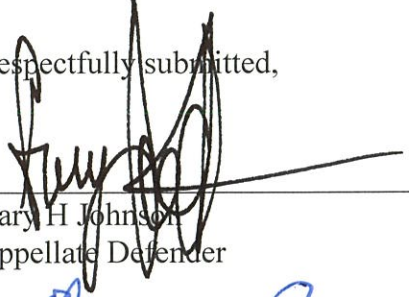
4. Counsel makes this request in good faith and not for purpose of delay.

5. On March 29, 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 April 30, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension from April 5, 2024 until May 6, 2024**, in which to serve and file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances.

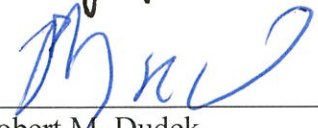
Counsel requests that time limits for filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Gary H. Johnson  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

This 5th day of April, 2024.