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Dec 20 2024
S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

December 20, 2024

The Honorable Patricia Howard
Clerk of Court, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: Bayan Aleksey v. State of South Carolina
Appellate Case No: 2024-000140
Capital PCR Appeal

Dear Ms. Howard:


The Return to Petition for Writ of Certiorari is due to be served and filed today, December 20, 2024, following the grant of a second extension request on November 20, 2024. Undersigned counsel hereby requests a third and **final 4-day extension** in which to serve and file its Return. Opposing counsel consents to this brief extension.

This request is not made for simple delay, but due to a heavy caseload. Notably, counsel has been actively addressing matters with a higher number of extensions to reduce the overall number of extensions in her caseload, in addition to continuing work on other matters. By way of example, counsel submits that she has completed and filed the initial brief of respondent in a non-capital murder direct appeal on *sixth extension* (*Robert Belcher, Nov.18, 2024*); prepared and filed a response in opposition to a Rule 59 motion in a capital federal habeas action (*William Dickerson, Nov.19, 2024*); prepared and filed a consent motion for scheduling order in a federal habeas corpus action (*Steven Gilliam, Nov.21, 2024*); prepared and filed a return to petition for writ of supersedeas regarding a criminal matter with multiple counts of murder (*Ryan Manigo, Nov.22, 2024*); prepared and filed a response in opposition to motion to certify question in a federal habeas corpus action (*Antonio Tisdale, Nov.25, 2024*); completed and filed the initial brief of respondent in a non-capital murder direct appeal on *sixth extension* (*Raymond Martinez, Nov.26, 2024*); prepared and circulated two proposed orders of dismissal in non-capital PCR matters (*Mark Keys and Keldrekus Oglesby, Nov. 27, 2024*); prepared for and presented oral argument in a PCR appeal (*William Williams, Dec.5, 2024*); completed and filed a brief of respondent in an original jurisdiction action (*John Erb, Dec.6, 2024*); aided in the completion of a response to a motion to stay the

issuance of an execution notice (*Steven Bixby, Dec.6, 2024*); prepared and filed a return to amended federal habeas corpus petition (*Carnie Norris, Dec.11, 2024*); completed and filed another initial brief of respondent in a non-capital murder direct appeal on *sixth extension (James Toatley, December 13, 2024)*; aided in completion of a return *on third extension* in a non-capital PCR action (*Steven Williams, Dec.16, 2024*); participated in a status conference in a capital PCR (*Timothy Ray Jones, Dec.17, 2024*); prepared and filed a response in opposition to motion for bail in the Fourth Circuit Court of Appeals (*Jerome Curry, Dec.18, 2024*); and completed and filed reply to objections in a non-capital federal habeas action (*Brandon Berry, Dec. 19, 2024*). Further, counsel has spent significant time reviewing documents and preparing to draft the return in the instant case among other matters that require additional research and consideration. However, based on the work already accomplished, counsel has estimated that only 4 additional days would be required to complete the return for filing.

Therefore, counsel respectfully requests this Court grant an extension until December 24, 2024, to serve and file the Return to Petition for Writ of Certiorari.

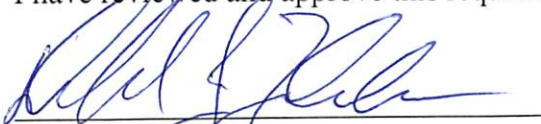
Sincerely,



Melody J. Brown
Senior Assistant Deputy Attorney General

MJB/abb

I have reviewed and approve this request:



DONALD J. ZELENKA
Deputy Attorney General

cc: Lindsey S. Vann, Esquire (via email only)