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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Greenville County
R. Scott Sprouse, Circuit Court Judge

DWAYNE C. TALLENT, #357180,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

Appellate Case No. 2024-00627

**MOTION FOR FOURTH EXTENSION OF TIME TO FILE
RETURN TO PETITION FOR WRIT OF CERTIORARI**

The undersigned counsel would respectfully request a FOURTH thirty (30) day extension in which to file the Return to Petition for Writ of Certiorari in the above-referenced case. Counsel for Appellant has graciously consented to extension request. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Return to Petition for Writ of Certiorari is due to be filed today, January 2, 2025. The undersigned attorney has had a number of state, and federal matters to attend to since December 3, 2024, specifically:

1. Counsel prepared and filed the Respondent's Response in Opposition to Motion for Stay of Execution in the capital matter of Steven Vernon Bixby vs. State of South Carolina,

Appellate Case No. 2007-054161, now pending in the South Carolina Supreme Court on Friday, December 6, 2024;

2. Counsel filed the Initial Brief of Respondent in the matter of The State vs. Michel T. Bolton, Appellate Case No. 2023-001327, a Charleston County murder appeal matter now pending in the South Carolina Court of Appeals on December 9, 2024;

3. Counsel filed the Final Brief of Respondent in the matter of The State vs. Antone B. E.T. Blakely, Appellate Case No. 2023-000721, a Laurens County murder appeal matter now pending in the South Carolina Court of Appeals, also on December 9, 2024;

4. Counsel also prepared a Motion for Order Requiring Disclosure of Mental Health Status and Competency in the capital matter of Steven Vernon Bixby vs. State of South Carolina, Appellate Case No. 2007-054161, now pending in the South Carolina Supreme Court on December 10, 2024;

5. Counsel filed the Respondent's Reply to the Response in Opposition in the capital matter of Steven Vernon Bixby vs. State of South Carolina, Appellate Case No. 2007-054161 on December 23, 2024;

6. Counsel filed the Return to Petition for Writ of Certiorari in the death penalty matter of Marion Bowman, Jr., SK #6006 vs. Bryan P. Stirling, Commissioner, South Carolina Department of Corrections, Appellate Case No. 2024-002113, together with attachments on December 30, 2024;

7. Counsel filed the Return to Amended Petition for Writ of Habeas Corpus in the matter of Mickey Markell Johnson vs. Warden, Broad River Correctional Institution, C/A No. 0:24-1623-TMC-PJG on December 31, 2024;

8. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for the following circumstances, counsel respectfully requests a FOURTH thirty (30) day extension of time to serve and file the Return to Petition for Writ of Certiorari. This request is made in good faith, and not for the purposes of delay. This extension will make Respondent's Return to Petition due on February 3, 2025.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

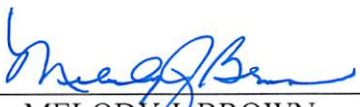
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ATTORNEYS FOR RESPONDENT

January 2, 2025

I support the finding of extraordinary circumstances.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

I further support the finding of extraordinary circumstances.

By: _____
DONALD J. ZELENKA
Deputy Attorney General