

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

**Jan 17 2025**

S.C. SUPREME COURT

Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

Lower Court Case Number: 2015-CP-38-764  
Appellate Case Number: 2024-000140

BAYAN ALEKSEY, #5059,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

PETITIONER'S MOTION FOR EXTENSION  
OF TIME TO FILE REPLY TO RESPONSE TO  
PETITION FOR WRIT OF CERTIORARI

Petitioner, Bayan Aleksey, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant an extension of time for ten (10) days to file the Reply to Return to Petition for Writ of Certiorari presently due for filing on January 21, 2025. The reasons for this motion are as follows:

1. This Court granted an initial extension of time on January 3, 2025, extending the filing deadline until January 21, 2025.
2. Since this Court granted the initial extension, undersigned counsel has spent the majority of her time working on the case of Marion Bowman, who is scheduled to be executed on January 31, 2025. Undersigned counsel is appointed to represent Mr. Bowman and has been

working on research to prepare for his election of the method of execution (scheduled for today, January 17, 2025), litigating issues related to his case and execution, and meeting with Mr. Bowman.

3. Undersigned counsel also prepared and filed a post-hearing reply brief in the capital post-conviction relief case of Ricky Blackwell, which was due and filed on January 15, 2025. *Blackwell v. State*, No. 2018-CP-42-00928.

4. Petitioner's case concerns factual and legal issues regarding a claim that he is intellectually disabled pursuant to *Atkins v. Virginia*, 536 U.S. 304 (2002), which require thorough research briefing. Undersigned counsel reasonably believes that an extension is needed to thoroughly and accurately brief the issues in this case.

5. Undersigned counsel contacted counsel for the State who consents to this extension request.

THEREFORE, for the reasons stated above, Petitioner respectfully submits that an extension of time is warranted for good cause and requests a ten day extension.

Respectfully submitted,

s/ Lindsey S. Vann  
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January 17, 2025.