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Mar 17 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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On Petition for Writ of Certiorari to Saluda County  
Court of Common Pleas  
The Honorable Kristi F. Curtis, Circuit Court Judge

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Appellate Case No. 2024-000547

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Kyle Wayne Way, SCDC #382833,

Petitioner,

v.

State Of South Carolina,

Respondent.

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**MOTION FOR A FOURTH EXTENSION OF TIME TO SERVE AND FILE THE  
RETURN TO PETITION FOR WRIT OF CERTIORARI**

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Counsel for Respondent respectfully moves for a **fourth** and **final** extension of thirty (30) days in which to serve and file the Return to Petition for Writ of Certiorari in this case. This is a fourth request for an extension. In support of this request, counsel shows:<sup>1</sup>

1. The Return to Petition for a Writ of Certiorari is due to be served and filed with the Court today, March 17, 2025.
2. Counsel for Respondent respectfully submits that extraordinary circumstances exist that warrant the granting of an additional time extension. Given the number of extensions

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<sup>1</sup> In compliance with: In Re: Extensions in Criminal and Post-Conviction Relief Cases, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1).

previously granted and the order in which Counsel attempts to manage his heavy caseload, Counsel hopes that no further extension requests will be required.

3. Counsel had a term of court on February 10–14, 2024, in the Sixteenth Judicial Circuit, in which Counsel is preparing orders.
4. Counsel was out of the office last week due to illness.
5. Counsel suffered an injury to his back on March 15, 2025, requiring medical attention.
6. In the last month, Counsel has had multiple PCR filings due with the lower courts in the Second, Third, Eighth, and Sixteenth Judicial Circuits.
7. This extension request is made in good faith and not intended for delay, but rather due to Counsel's heavy workload and to ensure the return is properly researched and prepared.
8. Opposing Counsel has graciously consented to this request via interagency agreement.

WHEREFORE, the undersigned Counsel would respectfully request a thirty-day extension in which to serve and file the Return to Petition for Writ of Certiorari in this case based upon the above exigent circumstances.

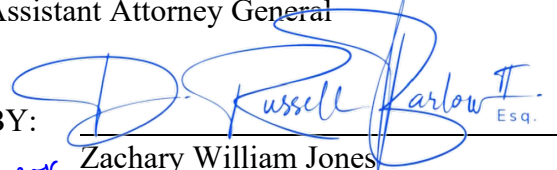
**|SIGNATURE PAGE FOLLOWS|**

Respectfully submitted,

ALAN WILSON  
Attorney General

ZACHARY WILLIAM JONES  
Assistant Attorney General

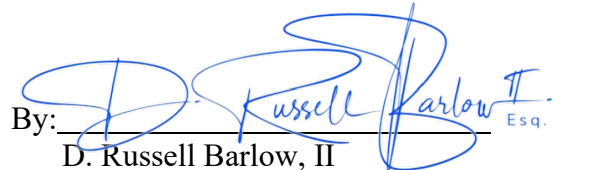
BY:



*for* Zachary William Jones  
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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By:   
D. Russell Barlow, II  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 105228

March 17, 2025