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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE 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 PETITIONER'S BRIEF

Petitioner, Bayan Aleksey, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant a second extension of time for thirty (30) days to file Petitioner's Brief, which is presently due for filing on August 4, 2025. The reasons for this motion are as follows:

1. This Court granted an initial extension of time on June 27, 2025, extending the filing deadline until August 4, 2025.
2. Since this Court granted the initial extension, undersigned counsel has spent the majority of her time preparing for the capital post-conviction relief evidentiary hearing of Norman

Starnes, scheduled to commence on July 28, 2025. The hearing is expected to last the full week of July 28-August 1, 2025.

3. 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 briefing. Undersigned counsel reasonably believes that an extension is needed to thoroughly and accurately brief the issues in this case.

4. 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 thirty day extension.

Respectfully submitted,

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July 28, 2025.