

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

**Dec 31 2025**

**S.C. SUPREME COURT**

Appeal from Orangeburg County

Honorable Edgar W. Dickson, Circuit Court Judge

Appellate Case No. 2024-000140

BAYAN ALEKSEY, #5059,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

**MOTION FOR SUBSTITUTION OF COUNSEL**

The undersigned, Lindsey S. Vann, respectfully moves this Court for substitution of counsel for Petitioner, Bayan Aleksey. In support of this motion, the undersigned submit the following:

Petitioner was convicted and sentenced to death in Orangeburg County. Following the denial of direct appeal and post-conviction relief (“PCR”), Petitioner’s federal habeas counsel filed a successive PCR application alleging he is a person with intellectual disability, which was also denied. Petitioner timely filed a notice of appeal, and this Court appointed Lindsey S. Vann as counsel for Petitioner on appeal. On June 3, 2025, this Court granted certiorari on two questions raised by Petitioner. As appointed counsel, Attorney Vann filed the Brief of Petitioner on October 3, 2025 and the Reply Brief on December 31, 2025.

Attorney Vann is leaving Justice 360 and the practice of law. Her last day at Justice 360 will be January 1, 2026. As a result, she will no longer be able to represent Petitioner in this matter. Undersigned counsel respectfully request that this Court relieve Attorney Vann in this case and appoint Allison Franz. Attorney Franz has experience in capital cases involving intellectual disability, *see Terry v. State*, No. 2025-001760, and will represent Petitioner in his (currently stayed) federal habeas proceedings as well. Ms. Franz is also taking Ms. Vann's position as Executive Director of Justice 360. Although Ms. Franz has not been involved in preparation of the petition for writ of certiorari or the briefing in this matter, she did attend the hearing in the PCR court and has some familiarity with the record.<sup>1</sup> Given Ms. Franz's experience and for purposes of continuity of counsel, her appointment is appropriate in this case.

### CONCLUSION

Respectfully, undersigned counsel requests that this Court relieve Ms. Vann as counsel for further proceedings in this matter and this Court substitute Allison Franz as counsel in this matter. Counsel further requests this Court hold scheduling of oral argument in abeyance until this Motion has been ruled on.

Respectfully submitted,

s/ Lindsey S. Vann  
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December 31, 2025.

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<sup>1</sup> Ms. Franz's name appeared on pleadings in this matter requesting extension requests only to certify that good or extraordinary cause justified the extension. As noted in those extension requests, Ms. Franz was not involved in the drafting of substantive pleadings before this Court.