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Jan 16 2026

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County

Honorable Patrick Cleburne Fant, III, Circuit Court Judge

JAQUESE K. HYATT,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2025-000388

**MOTION TO FILE EXTENSION
OUT OF TIME**

Counsel David Alexander respectfully requests leave under Rule 263(b) in which to file the **second** extension in this case out of time. In support of this request, counsel shows:

(1) The Extension was due to be served and filed with this Court on Thursday, January 15, 2026.

(2) However, due to administrative error, the extension was not timely filed. Upon realizing the error, counsel acted immediately to prepare the extension and file it with this Court along with this Motion.

(3) Counsel makes this request in good faith and not for purposes of delay.

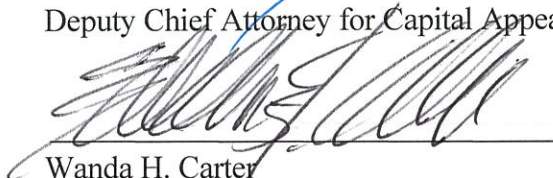
(4) Counsel filed the Brief of Appellant and accompanying Record on Appeal in the case of The State v. Lisa Marie Hibberts with the Court of Appeals on January 16, 2026. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Michael J. Walton v. The State with the Supreme Court on January 8, 2026. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Valentino M. Hayward v. The State with the Supreme Court on January 5, 2026. Counsel filed the Petition for Writ of Certiorari and accompanying Appendix in the case of Jamie S. Gadson v. The State with the Supreme Court on December 17, 2025. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State v. Demetrius Alexander Brown with the Supreme Court on December 11, 2025. Counsel filed the Brief of Appellant in the case of The State v. Akevius Dayquan Lindsey with the Court of Appeals on December 3, 2025. Counsel filed the Petition for Rehearing in the case of The State v. Adam D. Lawless with the Court of Appeals on November 20, 2025. Counsel filed the Brief of Appellant in the case of The State v. Ryan O'Neil Woodruff with the Court of Appeals on November 19, 2025. Counsel had an oral argument in The State v. William McKinney before the Court of Appeals on November 12, 2025.

(5) Opposing counsel, the Attorney General's Office, has graciously consented to this request by way of the thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for motions for extensions or out of time filing up to one month for briefs, returns, petitions, appendices and records on appeal in matters with Appellate Defense through February 1, 2026. That emailed general consent was dated January 2, 2026.

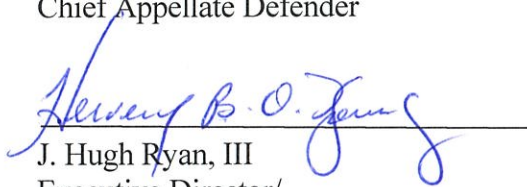
WHEREFORE, counsel for Petitioner respectfully requests the Court accept the **second** thirty-day extension as filed out of time.



David Alexander
Deputy Chief Attorney for Capital Appeals



Wanda H. Carter
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B.O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel

This 16th day of January, 2026.