

CAPITAL CASE
No.

IN THE SUPREME COURT OF THE UNITED STATES

Stephen Corey Bryant,
Applicant-Petitioner

v.

Bryan Stirling, Commissioner, South Carolina Department of Corrections; and
Lydell Chestnut, Deputy Warden, Broad River Correctional Institution,
Respondents

Application for an Extension of Time
to File a Petition for Writ of Certiorari
to the United States Court of Appeals for the Fourth Circuit

APPLICATION TO THE HONORABLE CHIEF JUSTICE
JOHN G. ROBERTS, JR., AS CIRCUIT JUSTICE

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APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of the Court, Applicant Stephen Corey Bryant, a death-sentenced prisoner in South Carolina, respectfully requests a 60-day extension of his time to file a petition for a writ of certiorari, up to and including August 7, 2025, due to his counsel's pressing obligations in other capital cases, including one with a impending execution date.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The order and judgment for which review is sought was issued by the United States Court of Appeals for the Fourth Circuit on January 27, 2025, in *Bryant v. Stirling*, No. 23-4. Exhibit 1. The Fourth Circuit denied Applicant's Petition for Rehearing or Rehearing En Banc on March 10, 2025. Exhibit 2.

JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari pursuant to 28 U.S.C. §1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for writ of certiorari is due on or before June 8, 2025. In accordance with Rule 13.5, this application is being filed more than ten days in advance of that date.

REASONS JUSTIFYING AN EXTENSION OF TIME

An extension of time is necessary due to the gravity and complexity of the issues in this case and counsels' intervening obligations to clients facing imminent execution in South Carolina during the entirety of the period since the Fourth Circuit denied Mr. Bryant's appeal on January 27. Marion Bowman, Jr.,

represented by undersigned co-counsel Swift's office, the Capital Habeas Unit for the Fourth Circuit ("the CHU"), was issued an execution notice on January 3, 2025, and executed on January 31, 2025. Brad Sigmon, another client of Ms. Swift and the CHU, was issued an execution notice on February 7, 2025, and executed on March 7, 2025. Mikal Mahdi, a client of the CHU and of undersigned counsel Grose, was issued an execution notice on March 14, 2025, and executed on April 11, 2025.

Counsel's obligations to other capital clients facing execution are ongoing. Mr. Grose represents Steven C. Stanko, a death-sentenced prisoner in South Carolina, whose petition for a writ of certiorari was denied by this Court on May 5, 2025. The South Carolina Supreme Court issued an execution notice for Mr. Stanko on May 16, setting his execution date for June 13, 2025—five days after Mr. Bryant's petition for certiorari is due.

Ms. Swift represents Steven Vernon Bixby, another death-sentenced prisoner in South Carolina whose expected execution notice on April 18, and execution date of May 16, has been stayed by the South Carolina Supreme Court pending a hearing on his competency to be executed, which is now scheduled for August 21, 2025.

Ms. Swift also represents Corinio Pruitt, a death sentenced prisoner in Tennessee, in *Pruitt v. Nelsen*, No. 22-02855 (W.D. Tenn.), a federal habeas proceeding in the Western District of Tennessee. Mr. Pruitt's amended habeas petition, which must present full factual and legal argument in support of his numerous claims for relief, is due on June 12, 2025. Swift was appointed to represent Mr. Pruitt after a conflict required Mr. Pruitt's previous counsel to

withdraw from his representation. Given the complexity of the issues in Mr. Pruitt's case and the voluminous record, Ms. Swift must dedicate the majority of her time between now and then to Mr. Pruitt's petition.

Undersigned counsel have consulted with counsel for Respondent who has no opposition to this extension.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests this Court grant an extension of 60 days, up to and including August 7, 2025, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

s/Gretchen L. Swift
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