

**RECEIVED**  
**Oct 12 2022**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Orangeburg County

R. Markley Dennis, Circuit Court Judge

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The State,

Respondent,

V.

Bowen Gray Turner,

Respondent,

In Re: Victim C.B.,

Appellant.

APPELLATE CASE NO. 2022-000472

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER

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The undersigned counsel respectfully requests a thirty-day extension from October 12, 2022 until November 14, 2022, in which to file the initial brief of respondent and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of respondent and designation of matter in this case are due to be served and filed today, October 12, 2022, having been extended by two prior orders of this Court.
2. Counsel is working on the merit brief in the case of The State v. Dionte J'Chon Habersham, which is due to be served and filed with this Court on Tuesday, October 18, 2022. Counsel, with co-counsel Kathrine H. Hudgins, is also working on the reply brief in the death

penalty case of Jerome Jenkins, Jr., v. State, which will be filed with the United States Supreme Court on or before Monday, October 17, 2022. Counsel filed the brief of petitioner in the murder case of The State v. Robert Xavier Geter with this Court on Friday, October 7, 2022. Counsel also filed the brief of petitioner in the murder case of The State v. Gregg Pickrell with this Court on Friday, October 7, 2022. Counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Dae'Kwon Jaheem Simmons with the Court of Appeals on September 26, 2022. Counsel presented the Case Law Update PowerPoint presentation at the Annual Public Defender Conference, in North Myrtle Beach, South Carolina, on September 19-21, 2022. Counsel filed the reply brief of petitioner in the case of Shana Robinson v. State with the Court of Appeals on September 16, 2022. Counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Diante Jermaine Willis with the Court of Appeals on September 9, 2022. Counsel, with co-counsel Kathrine H. Hudgins, filed the petition for writ of certiorari in the death penalty case of State v. Jerome Jenkins, Jr., with the United States Supreme Court on August 31, 2022. Counsel also filed the petition for writ of certiorari in the murder case of Justin Jamal Warner v. State, with the United States Supreme Court on August 26, 2022. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

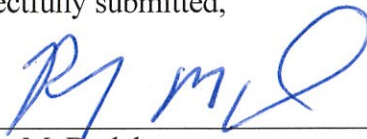
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney

General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2022. That extended, emailed general consent was dated September 28, 2022.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from October 12, 2022 until November 14, 2022. Counsel respectfully requests that the time limits for filing the initial brief of respondent and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
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(803) 734-1330

ATTORNEY FOR  
RESPONDENT BOWEN GRAY TURNER

This 12<sup>th</sup> day of October, 2022.

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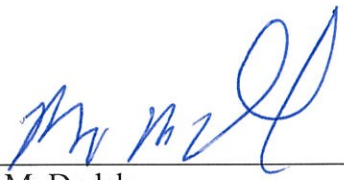
APPELLATE CASE NO. 2022-000472

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy the motion for an extension of time in which to file the initial brief of respondent and designation of matter in the above-referenced case has been served upon Sarah Anne Ford, Esquire, Tamika D. Cannon, Esquire, Terri Hearn Bailey, Esquire, David Warren Miller, Esquire, and William M. Blich, Jr., Esquire, at their primary e-mail addresses listed in the Attorney Information System (AIS), this 12th day of October, 2022.

  
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Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR  
RESPONDENT BOWEN GRAY TURNER

**From:** [Matthews, Lindsey](#)  
**To:** [SC - BLITCH WILLIAM](#); [sarah@scvan.org](mailto:sarah@scvan.org); [tamika@scvan.org](mailto:tamika@scvan.org); [terri@scvan.org](mailto:terri@scvan.org); [dmiller@aikencountysc.gov](mailto:dmiller@aikencountysc.gov)  
**Cc:** [Dudek, Robert](#); [SC - COLLINS CAROLINE](#)  
**Subject:** 2022-000472 The State v. Bowen Gray Turner (In re Victim C.B., Appellant)  
**Date:** Wednesday, October 12, 2022 12:23:00 PM  
**Attachments:** [2022-000472 The State v. Bowen Gray Turner \(In re Victim C.B., Appellant\) - Motion for Third Extension.pdf](#)

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Attached is a copy of a motion for third extension which will be filed with the Court of Appeals today in the above-referenced case.

Lindsey M. Matthews  
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