

RECEIVED
Nov 14 2022
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Honorable R. Markley Dennis, Circuit Court Judge

The State,

Respondent,

V.

Bowen Gray Turner,

Respondent,

In. Re: Victim C.B.,

Appellant

APPELLATE CASE NO. 2022-000472

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

Counsel for Bowen Gray Turner respectfully requests a **final extension of thirty (30) days, from November 14, 2022 until December 14, 2022**, in which to file the initial brief of respondent in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The initial brief of respondent in this case is due to be served and filed today, November 14, 2022. The Court has granted counsel three previous extensions.

2. Counsel for Bowen Gray Turner respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel, with co-counsel Kathrine Haggard Hudgins, filed the Motion for a Stay of Execution and for the Appointment of a Post-Conviction Relief Judge in the case of The State v. Jerome Jenkins, Jr. with the Supreme Court on Thursday, November 10, 2022. Counsel, with co-counsel David Alexander and Lara M. Caudy, filed the brief of petitioner in the death penalty case of Marion Alexander Lindsey v. The State with the Supreme Court on November 4, 2022. Counsel intends to file the Brief of Respondent in the case of The State v. Robert Xavier Geter with the Supreme Court on Monday, November 14, 2022. Counsel intends to file the Initial Brief of Appellant and Designation of Matter in the case of The State v. Donovan Brannon with this Court on Friday, November 18, 2022. Counsel filed the petition for writ of certiorari in the case of David M. Dixon v. The State with the Supreme Court on October 31, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dionte J'Chon Habersham with this Court on October 18, 2022. Counsel, with co-counsel Kathrine H. Hudgins, filed the reply brief in the death penalty case of Jerome Jenkins, Jr., v. State, with the United States Supreme Court on October 17, 2022. Counsel filed the brief of petitioner in the case of The State v. Robert Xavier Geter with the Supreme Court on October 7, 2022. Counsel filed the brief of petitioner in the case of The State v. Gregg Pickrell with the Supreme Court on October 7, 2022. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dae'Kwon Jaheem Simmons with this Court 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 also has extensive administrative duties as the Chief Appellate Defender.**

4. 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.

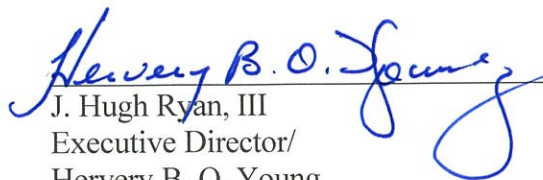
5. Opposing counsel, the Office of the Attorney General, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2022. That extended, emailed general consent was dated November 1, 2022.

WHEREFORE, the undersigned counsel would respectfully **request a final thirty-day extension from November 14, 2022 until December 14, 2022**, in which to file the initial brief of respondent in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender



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

This 14th day of November, 2022.

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APPELLATE CASE NO. 2022-000472

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the final motion for an extension of time in which to serve and file the initial brief of respondent 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 14th day of November, 2022.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

From: [Warren, Kaylynn](#)
To: [William Blitch](#)
Cc: [Dudek, Robert](#); [Caroline Collins](#); ["sarah@scvan.org"](#); ["tamika@scvan.org"](#); ["terri@scvan.org"](#); ["dmiller@aikencountysc.gov"](#)
Subject: 2022-000472 The State v. Bowen Gray Turner (In re Victim C.B., Appellant)
Date: Monday, November 14, 2022 8:36:00 AM
Attachments: [2022-000472 The State v. Bowen Gray Turner \(In re Victim C.B., Appellant\)- Fourth Motion for Extension IBOR and COS.pdf](#)

Good Morning,

Please find attached for service in the above-referenced case the Fourth Motion for Extension and accompanying Certificate of Service which will be filed today, November 14, 2022, with the Court of Appeals via email filing.

Respectfully,

Kaylynn Warren

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330