

RECEIVED

Dec 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 eight days (8) days, from December 14, 2022 until Thursday, December 22, 2022** in which to file the initial brief of respondent in this case. **Counsel will file the brief of respondent before that deadline if possible.** 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 four previous extensions, and due to a calendaring error this final eight day extension is necessary.

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.

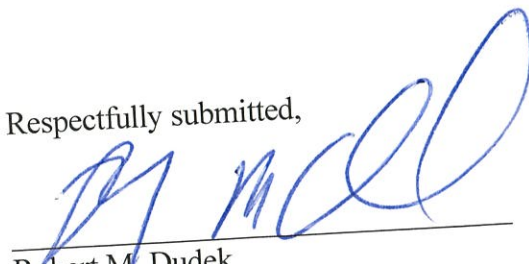
3. Counsel is filing the Petition for Writ of Certiorari and the Appendix in the case of Marcus McFadden v. The State with the Supreme Court today, December 14, 2022. Counsel will file the Brief of Respondent in the murder case of John Perry v. The State with the Supreme Court tomorrow, Thursday, December 15, 2022. Counsel is assisting his death penalty client Jerome Jenkins with his transition into post-conviction relief after the Supreme Court today, December 14, 2014, granted counsel's motion for a stay of execution and to appoint a PCR judge. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and the Appendix in the murder case of Malette Denise Kimbrough v. The State with the Supreme Court on Thursday, December 1, 2022. Counsel filed the Initial Brief of Appellant and Designation of Matter in the murder case of The State v. Donovan Brannon with this Court on Friday, November 18, 2022. Counsel filed the Brief of Respondent in the murder case of The State v. Robert Xavier Geter with the Supreme Court on November 14, 2022. Counsel filed the Motion for Stay of Execution and for the Appointment of a Post-Conviction Relief Judge in the death penalty 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 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 murder case of The State v. Donte 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 also has extensive administrative duties as the Chief Appellate Defender.**

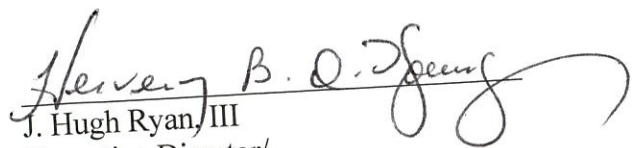
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. WHEREFORE, the undersigned counsel would respectfully **request a final eight-day extension from November 14, 2022 until Thursday, December 22, 2022**, in which to file the initial brief of respondent in this case based upon the above exigent circumstances, including the calendaring error. 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/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

This 14th day of December, 2022.

RECEIVED

Dec 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,

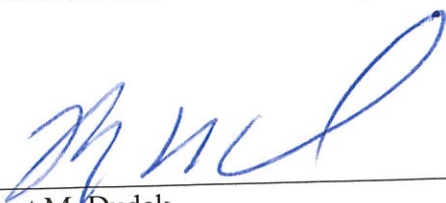
In Re: Victim C.B.,

Appellant

APPELLATE CASE NO. 2022-000472

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. Blicht, Jr., Esquire, at their primary e-mail addresses listed in the Attorney Information System (AIS), this 14th day of December, 2022.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

From: [Warren, Kaylynn](#)
To: [William Blich](#)
Cc: [Caroline Collins](#); tamika@scvan.org; sarah@scvan.org; terri@scvan.org; dmiller@aikencountysc.gov
Subject: 2022-000472 The State v. Bowen Gray Turner
Date: Wednesday, December 14, 2022 12:14:00 PM
Attachments: [2022-000472 The State v. Bowen Gray Turner In Re Victim C.B. Fifth Motion for Extension and COS.pdf](#)

Good Morning,

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

Respectfully,
Kaylynn

Kaylynn Warren

Administrative Assistant
South Carolina Commission on Indigent Defense
Division of Appellate Defense
(803) 734-1330