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Jan 03 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Roger M. Young, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BOWEN GRAY TURNER,

APPELLANT.

APPELLATE CASE NO. 2022-001018

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Bowen Gray Turner respectfully requests a thirty (30) day extension from January 3, 2023 until February 2, 2022, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.

2. Counsel filed the Initial Brief of Respondent in the case of The State v. Bowen

Gray Turner In Re: Victim C.B. with this Court on December 22, 2022. Counsel filed the Brief of Respondent in the case of John Perry v. The State with the Supreme Court on December 15, 2022. Counsel filed the Petition for Writ of Certiorari and the Appendix in the case of Marcus McFadden v. The State with the Supreme Court on December 14, 2022. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and the Appendix in the case of Malette Denise Kimbrough v. The State with the Supreme Court on 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 also has extensive administrative duties as the Chief Appellate Defender.**

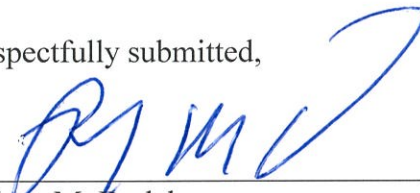
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On December 28, 2022, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by

Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through January 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from January 3, 2023 until February 2, 2022. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

This 3rd day of January, 2023.

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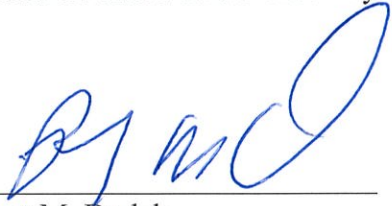
BOWEN GRAY TURNER,

APPELLANT.

APPELLATE CASE NO. 2022-001018

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon Matthew C. Buchanan, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 3rd day of January, 2023.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

From: [Warren, Kaylynn](#)
To: [SC - BUCHANAN MATTHEW](#)
Cc: [SC - NICHOLS DAWN](#); [Dudek, Robert](#)
Subject: 2022-001018 The State v. Bowen Gray Turner
Date: Tuesday, January 3, 2023 8:40:00 AM
Attachments: [2022-001018 The State v. Bowen Gray Turner Third Motion for Extension and COS.pdf](#)

Good Morning,

Attached for service in the above-referenced case is the Third Motion for an Extension of Time and Certificate of Service which will be filed today, January 3, 2023, 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