

LAW OFFICE OF



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July 1, 2013

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**

JUL 05 2013

**SC Court of Appeals**

Re: State of South Carolina v. Julian C. Young; 2011-GS-38-1833.  
Case Tracking No.: 2012-213006

Dear Ms. Kitchings:

The Initial Brief of Appellant in the above referenced matter is due for service and filing on today's date. There have been four previous extensions in this appeal, and I acknowledge that the last order indicated that no further extensions would be granted. I was fully prepared to complete this brief, and have it in the mail this evening. Regrettably I have run into a problem.

I had requested copies of the Court's exhibits in this case from the Clerk of Court's Office in Orangeburg. I need to review those exhibits in order to make my final decisions about two possible issues for this direct appeal.

I have now received notice that the Clerk of Court's Office can't locate these exhibits. They advise me that they have determined that the Court Reporter kept the Court's Exhibits in her possession. The Clerk's Office has all 28 of the State's Exhibits. To be candid, I didn't fully understand how they determined that the Court Reporter kept the Court's Exhibits, but they sounded certain that was what happened. They may have either discovered a notation in the file or, perhaps they actually spoke with the Court Reporter. I can certainly find out if the Court wants me to inquire further. Unfortunately, the Court Reporter was Mrs. Harry A. "Dot" Walker who is now retired. The Clerk of Court's Office advises that they have been in touch with Court Administration and efforts are underway to locate these exhibits in Mrs. Walker's files which are now stored in Court Administration's storage. I enclose verification from the Orangeburg Clerk of Court that these exhibits are not available in their office and that they are attempting to obtain them for me.

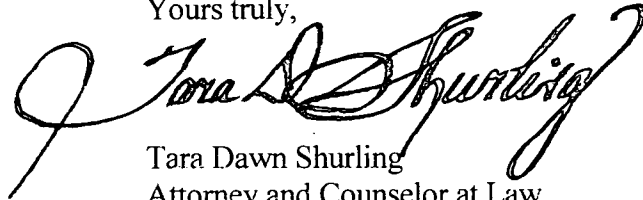
For this reason, I am now forced to ask that the time limits for this appeal be held in abeyance pending my receipt of these missing exhibits. I regret this additional delay, but I honestly have no

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choice. I have discussed this development with opposing counsel, Don Zelenka, and he is in agreement with the need to hold the deadline for my Initial Brief of Appellant in abeyance while we await production of these missing exhibits.

I sincerely appreciate the Court's assistance and patience. I would appreciate confirmation of the Court's approval of this request as soon as possible. Thank you very much. I remain,

Yours truly,

A handwritten signature in black ink, reading "Tara Dawn Shurling". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sg  
Enclosure

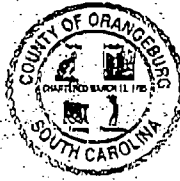
cc: Donald J. Zelenka, Assistant Deputy Attorney General  
Vernetha Glenn, Orangeburg Clerk of Court's Office, Criminal Court Clerk  
Julian Young, 352043  
Lee Smalls

# Orangeburg County Clerk of Court Office

WINNIFA B. CLARK  
CLERK OF COURT

YOJUANA T. CREWS  
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July 1, 2013

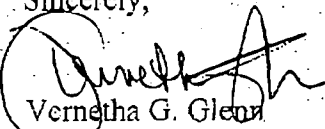
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RE: State v. Julian C. Young #2011-GS-38-1833, Exhibits 1, 2, 3

Dear Attorney Shurling:

At your request I am verifying that Courts Exhibits 1, 2, 3 are currently unavailable. We will make every effort to have these exhibits sent to you as soon as they become available.

Sincerely,

  
Vernetha G. Glenn  
Criminal Court Clerk

RECEIVED

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SC Court of Appeals