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Sep 13 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Greenville County
The Honorable Perry J. Gravely, Circuit Court Judge
Appellate Case No: 2022-001287

THE STATE,

Respondent,

vs.

EUGENE TURNER, JR.,

Appellant.

MOTION FOR EXTENSION OF TIME

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to two previous extensions granted by the Court.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a third extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court along with other extenuating circumstances, the undersigned counsel is unable to complete this Brief on time. On September 5, 2023, the undersigned counsel filed a Final Brief of Respondent in The State v. Johnathan Olin Batchelor (2022-000160). On September 12, 2023, the undersigned counsel filed an Initial Brief of Respondent and Designation of Matter in The State v. Wendy Michelle Green

(2022-001036). The undersigned would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.


III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared. The undersigned is currently experiencing a medical issue that temporarily keeps him from maintaining his normal work schedule, and most recently has required him to travel out of state for further treatment.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General



2 DAVID SPENCER
Senior Assistant Attorney General
S. C. Bar No: 68571
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By: 

Mark R. Farthing
Senior Assistant Deputy Attorney General

September 13, 2023

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served the Motion for Extension of Time on W. Logan Lewis, Esquire, Adam B. McCoy, Esquire, Miles E. Coleman, Esquire, and Robert M. Dudek, Esquire, counsel of record for the Appellant, by sending it through electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.
This 13th day of September, 2023.



Grace Sommer
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737

Grace Sommer

From: Grace Sommer
Sent: Wednesday, September 13, 2023 9:52 AM
To: Dudek, Robert; adam.mccoy@nelsonmullins.com; miles.coleman@nelsonmullins.com; lolewis24@gmail.com
Cc: meg.thrasher@nelsonmullins.com; David Spencer; Pollard, Shelby
Subject: The State v. Eugene Turner, Jr. (2022-001287)
Attachments: TURNER Eugene - Third Extension Request (IBOR) (03386836xD2C78).PDF

Good Morning Mr. Dudek, Mr. McCoy, Mr. Coleman, Mr. Lewis,

Attached please find a request for a third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in The State v. Eugene Turner, Jr. (2022-001287). This request is being submitted to the South Carolina Court of Appeals via the AIS OneDrive System.

If you will, please reply to confirm receipt of this email.

Thank you!

Grace Sommer, Legal Assistant
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