

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas
J. Mark Hayes, II, Presiding Judge

Appellate Case No. 2012-213435

RECEIVED

SEP 27 2013

S.C. SUPREME COURT

DONALD HUGH JOHNSON, 322348,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,


RESPONDENT.

**PETITIONER'S MOTION
FOR EXTENSION OF TIME**

THIS MATTER comes before the Court by way of an appeal from a Post-Conviction Relief Order. The Petitioner's Reply to State's Return to the Petition for Writ of Certiorari is due for filing on September 26, 2013. Unfortunately, due to my very busy court schedule for the past two weeks and the fact that I had minor out-patient surgery on September 23, 2013, I will be unable to determine if a Reply is necessary in this case. I respectfully request a 10-day extension of time in which to prepare and submit my Reply to the State's Return to the Petition for Writ of Certiorari on behalf of this client or to notify the Court that a Reply will not be necessary.

Since this is my second extension request I have contacted opposing counsel, Suzanne H White, Assistant Attorney General, to obtain her consent to this request. She did graciously consent by phone.

Respectfully submitted,


TARA DAWN SHURLING
Attorney and Counselor at Law

ATTORNEY FOR PETITIONER

This 25th day of September, 2013

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THE STATE OF SOUTH CAROLINA,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Petitioner's Motion for Extension of Time in the above-entitled case have been served upon opposing counsel, Suzanne H. White, Assistant Attorney General, by depositing in the U.S. Mail, postage prepaid, this 25th day of September, 2013.

Sharon McCollister

Sharon McCollister

Paralegal to Tara Dawn Shurling, Attorney for the Petitioner

SWORN TO BEFORE me this 25th day
of September, 2013.

Dufanne Graham (L.S.)
Notary Public for South Carolina

My Commission Expires: 2/28/23

LAW OFFICE OF



RECEIVED

TARA DAWN SHURLING, PA

SEP 27 2013

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Columbia, South Carolina 29204

September 25, 2013

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RE: Donald Hugh Johnson, 322348 v. State of South Carolina; 2010-CP-42-5375.
Appellate Case No. 2012-213435

Dear Mr. Shearouse:

Enclosed for filing please find the original Petitioner's Motion for Extension of Time to file a Reply and my Certificate of Service in the above-captioned case. I mention in the motion that I had outpatient surgery Monday. *I am fine*. It was a very minor procedure, but it has kept me home for a couple of days. I'll be back at work Thursday, but I am concerned that I won't have time to get this done tomorrow. I would appreciate your returning two (2) clocked copy of the Motion and Certificate of Service in the envelope provided. Thank you for your assistance in this matter. I remain,

Sincerely yours,

A handwritten signature in cursive script that reads "Tara Dawn Shurling".

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/sm

Enclosures

cc: Suzanne H. White, Assistant Attorney General (w/enclosures)
Donald Hugh Johnson, 322348 (w/enclosures)
Randy Scott Johnson (w/enclosures)