

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM OCONEE COUNTY
COURT OF COMMON PLEAS
H. STEVEN DEBERRY, IV CIRCUIT JUDGE

RECEIVED

FEB 24 2025

SC Court of Appeals

Dennis Maurice Temple,

Appellant,

v.

State of South Carolina,

Respondent,

Appellate Case No. 2024-001193

MOTION FOR EXTENSION OF TIME AND NOTICE

Comes now the undersigned pro se appellant, who respectfully moves the court pursuant to Rule 263(b) of the South Carolina Rule of Appellate Procedures for a thirty (30) days extension of time within which to order the transcript from the Court Reporter Lesa D. Taylor as follows:

On November 1, 2024 the South Carolina Court of Appeals, Chief Deputy clerk, Catherine Harrison wrote a letter to the appellant stating, "quote " All parties are advised that this appeal is allowed to proceed. The transcript must be ordered within (30) days of the date of this letter. Appellant received a copy of the letter on November 7, 2024.

On November 12, 2024 appellant wrote a letter to Lesa D. Taylor stating, " quote " Dear lesa taylor: My name is Dennis Temple. I am the petitioner and the appellant in this case. The Oconee County, clerk of court has informed me that you presided over the above entitled case at the Anderson County Courthouse on April 9, 2024, as the court reporter.

Please prepare and send to me a transcript of only my hearing that took place on April 9, 2024 in the above matter. Let me know the cost and I will make arrangements for the payment to be sent to you by United States money order. How many pages do my transcript consist of and the cost,.

On November 13, 2024 the respondent, attorney Talida Balaj, assistant attorney General wrote a letter to appellant stating, " quote"" This letter is in response to the letter received by my office on November 1, 2024, informing the parties that the above referenced appeal is allowed to proceed and to order the transcript within (30) days of receipt of the letter. As of today, November 13, 2024, the transcript has been ordered. Once the transcript is received, we will update the Court and provide a copy to Mr. Dennis M. Temple

If the Court needs anything further, please let me know.

On November 30, 2024 Lesa Taylor, Court reporter wrote a letter to the appellant stating, " quote " I am in receipt of your transcript request. I estimate the cost of your transcript to be \$63.75 pages @ \$4.25 per page)

Upon receipt of a money order or certified check in the amount of \$63.75, I have 60 days in which to complete the transcript. If I have underestimated the cost, you will be notified. If I have overestimated the cost, you will be refunded accordingly.

On December 13, 2024 the appellant wrote another letter to Lesa D. Taylor, Court Reporter, stating " quote ":Please be advised that I am in receipt of a letter from the S.C. attorney General Office that the transcript has been ordered in the above reference case.

As a result, do disregard my request about ordering the transcript.

On January 29, 2025 the South Carolina Court of Appeals wrote a letter to the appellant stating, " quote " Dear Mr. Temple: Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the office of Court Administration.

On February 6, 2025 the appellant wrote a letter to the S.C Court Administration stating, " quote " My name is Dennis Temple I have a pending appeal in the South Carolina Court of Appeals regarding a previous dismiss case in the lower court in Oconee County on a state Habeas Corpus petition. see. also, Temple v. State civil action No. 2023-cp-37-00517.

On November 19, 2024 I was notified by respondent's attorney Talidad Balaj, Assistant Attorney General of the S.C. Attorney General Office via letter that they ordered the transcript in this case above on November 13, 2024.

As of now, it has been over 60 days since the transcript was allegedly order by the attorney General Office. We know that the court reporter who transcribed the April 9, 2024 hearing is Lesa D. Taylor. However, I have not yet received a copy of the transcript in order to proceed with this appeal.

On February 12, 2025 the South Carolina Court of Appeals Chief Deputy Clerk Catherine Harrison wrote appellant a letter stating, " quote " Dear Mr. Temple: The court received your correspondence indicating that the respondent in this matter has ordered the transcript, and that you have not yet received a copy of it. As the appellant you are required to order the transcript for your records and briefs. The respondent has ordered the transcript for their own respective brief, and they are not required

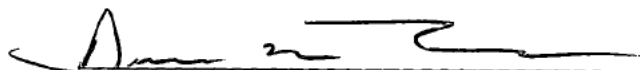
to send you a cppy. Within ten (10) days of the date of this letter you must provide an update of the transcript that you have ordered IN THIS MATTER, or this appeal will be dismissed.

Based upon the following the pro se appellant respectfully requests this extension of time as of being misled by the respondent's attorney. Appellant will send a United States postal Money order to Lesa D. Taylor, within (30) days of the date of this motion.,

In addition, be advised that the respondents employees at Tyger River Correctional institution are not providing appellant with photocopies of these legal documents as needed and requested which the court request and order appellant to serve them on all parties.

Appellant respectfully submits that, upon personal knowledge the ends of justice would be best served through the granting of this request.

RESPECTFULLY SUBMITTED,



Dennis M. Temple, # 274802
Tyger River Corr. Inst. Unit 10
200 Prison Road
Enoree, South Carolina 29335

February 20, 2025

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IN THE COURT OF APPEALS

APPEAL FROM OCONEE COUNTY
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SC Court of Appeals

Dennis Maurice Temple,

Appellant,

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PROOF OF SERVICE

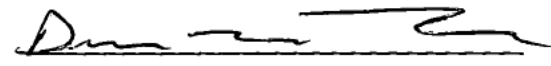
I Certify that I have served the Motion for Extension of Time upon the State of South Carolina; South Carolina Office of Administration and Lesa D. Taylor, Court Reporter by depositing a copy of it in the United States mail postage prepaid on February 20, 2025 addressed as follows:

Talida Balaj, AAG G
Post Office Box 11549
Columbia, S.C. 29211

D. Russell Barlow, III. AAG
Post Office Box 11549
Columbia, S.C. 29211

S.C. Office of Court Administration
1220 Senate Street, Suite 200
Columbia, S.C. 29201

Lesa D. Taylor, Court Reporter, III
213 Points End
Anderson, South Carolina 29625


Dennis M. Temple, # 274802
Tyger River Corr, Inst. Unit 10
200 Prison Road
Enoree, South Carolina 29335

February 20, 2025

S.C. Court of Appeals
Jenny Abbott Kitchings, clerk
Post Office Box 11629
Columbia, South Carolina 29211

February 20, 2025

In Re: Dennis M. Temple V. State
Appellate Case No. 2024-001193

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SC Court of Appeals

Dear Chief Deputy Clerk;

Enclosed please find a copy of the Appellant's Motion for Extension of Time and Notice, including proof of service on respondent's Attorneys; S.C. Office of Court Administration and on Lesa D. Taylor, Court Reporter, III

please clock-in these documents and return a copy to the appellant for his personal files.

RESPECTFULLY SUBMITTED,



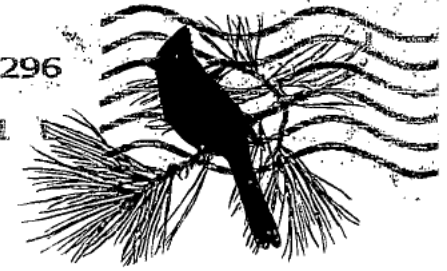
Dennis M. Temple, # 274802
Tyger River Corr. Inst. Unit 10
200 Prison Road
Enoree, South Carolina 29335

Dennis M. Temple, SCOC #274802
Tiger River Correctional Institution, Unit 10
200 Prison Road
Enoree, South Carolina 29335

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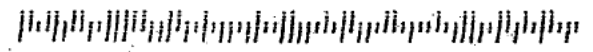
FEB 24 2025

FEB 20 2025
TIGER RIVER MAIL ROOM SC

Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings, clerk
Post office Box 11629
Columbia, South Carolina 29211

29211-162929



The Department of Corrections HAS NOT
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Therefore, the Department does not
assume responsibility for its content.
Tyger River Correctional Institution,
S.C. Department of Corrections



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