

STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM YORK COUNTY
Court of Common Pleas

SEP - 8 2014

The Honorable John C. Hayes, III, Circuit Court Judge
S.C. Supreme Court

Appellate Case No. 2013-001686

CHRISTOPHER ALLEN WOODY, 309141,

PETITIONER,

v.

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

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

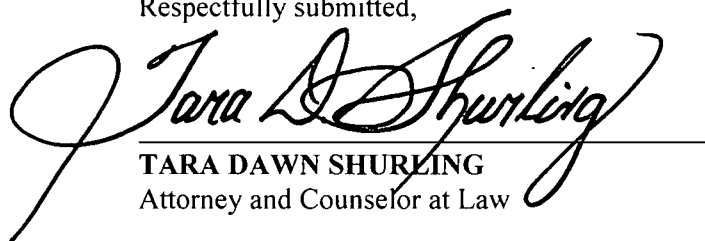
THIS MATTER comes before the Court by way of an appeal from a Post-Conviction Relief Order. The Petition for Writ of Certiorari is due for filing on September 5, 2014 having been extended five previous times. Counsel had every intention of submitting the certiorari petition in this PCR appeal on today's date; however, the circumstances of the last week have made it impossible for me to do so. At the writing of this motion it is nearly 10:00 PM. My father had outpatient surgery scheduled for *next* Friday, the 12th of September. That surgery was unexpectedly moved forward a week to today's date. I am an only child and my mother, who is not in good health herself, does not drive. My father is 84 years old and had to have someone there during this out-patient surgery and to help my mother get him settled at home after the surgery. This was a short week due to the Labor Day holiday on Monday. In addition to the date of my father's surgery being moved up a week, one of my employees came down with a severe case of the flu this week and my office has been short handed. To further complicate matters, I have been very involved with planning the SCWLA conference for October and regrettably, had no choice, as this year's president of that organization, but to handle numerous time sensitive issues concerning our commitments for that conference this week.

I had hoped to finish this certiorari petition tonight but, it is apparent that I simply can't do it justice trying to finalize it this evening. I have been up since 5:30 AM and simply can't give the final draft of this petition the attention it deserves until I get some rest. This murder case involves numerous complex collateral claims of ineffective assistance of both trial and appellate counsel. The trial record in this matter is 854 pages long. Unfortunately, I was not the Petitioner's counsel during his circuit court

PCR action and the record below is, to put it simply, a mess. I am doing my best to salvage a poorly preserved record in a case where a young man with no prior criminal record received a life sentence in an accomplice liability case.

Counsel is extremely mindful that this is her sixth extension request in this PCR appeal. When I requested the fifth extension, I advised the Court that, as a matter of policy, I try hard not to seek more than three extensions in any appeal and I would not have done so then if it had been avoidable. That remains true and I am, ironically, close to getting caught up on most of my appellate cases. I have not attempted to obtain consent from opposing counsel, Rutledge Johnson, Assistant Attorney General. It is my understanding that he declined to consent to my fifth extension and therefore, I can only assume requesting his consent on this request would be futile. I am informed that as a matter of policy he is not permitted to consent to any extension beyond a fourth request. As a practical matter, I am aware of having consented to one fifth extension for a member of the Attorney General's staff (not Mr. Johnson) but, truthfully can't recall ever being asked to consent to a sixth extension. I am copying Mr. Johnson on this request, and am asking that he formally make the Court aware of his position next week. (In compliance with *In Re: Extensions in Criminal and Post-Conviction Relief Cases*, S. C. Sup. Ct. Order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1). I no longer have an associate in my law firm, and therefore can not have another lawyer in my firm certify the necessity of the extension. I will work over the weekend to complete this petition and hope to have it ready for my paralegal to type it Monday morning. I hope to have this petition to the Court before any action is actually taken on this request for a few days additional time. For that reason, I am only asking for an additional five (5) day extension of time in which to file this petition. I thank the Court for its continued patience and assistance.

Respectfully submitted,



TARA DAWN SHURLING
Attorney and Counselor at Law

ATTORNEY FOR PETITIONER

This 5th day of September, 2014

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM YORK COUNTY
Court of Common Pleas
The Honorable John C. Hayes, III, Circuit Court Judge

Appellate Case No. 2013-001686

CHRISTOPHER ALLEN WOODY, 309141,

PETITIONER,

v.

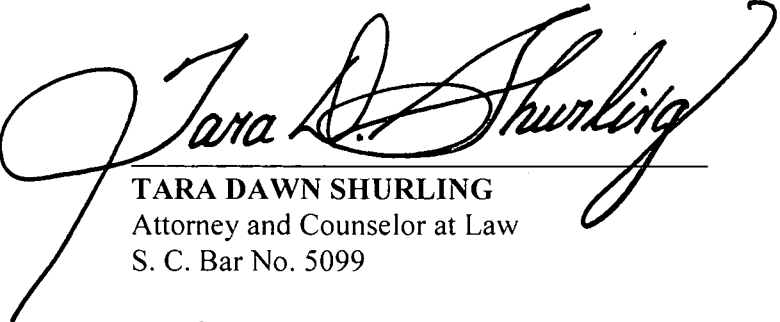
STATE OF SOUTH CAROLINA,

RESPONDENT.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the Petitioner's Motion for Extension of Time in the above-entitled case has been served upon opposing counsel this the 5th day of September, 2014, by mailing one (1) copy in postage prepaid envelope properly addressed to:

Rutledge Johnson
Assistant Attorney General
Office of the Attorney General
P. O. Box 11549
Columbia, SC 29211



TARA DAWN SHURLING
Attorney and Counselor at Law
S. C. Bar No. 5099

ATTORNEY FOR PETITIONER.

LAW OFFICE OF



TARA DAWN SHURLING, PA

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E-Mail: tdslaw@shurlinglaw.com

September 5, 2014

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

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SEP - 8 2014

S.C. Supreme Court

RE: Christopher Allen Woody, 309141 v. State of South Carolina;
Appellate Case No.: 2013-001686

Dear Mr. Shearouse:

Enclosed for filing please find the Petitioner's Motion for Extension of Time, and my Certificate of Service, in the above-captioned case. I am so sorry to have to ask for another short extension. I also enclose two extra copies of this motion which I would appreciate having clocked and returned for my file in the enclosed self-addressed envelope. I won't repeat of the list of reasons for this request, as they are fully set out in the Motion. Suffice it to say, everything that can happen to complicate my schedule continues to happen these days! Thank you for your kind assistance in this matter. I remain,

Sincerely yours,

A large, stylized handwritten signature in black ink that reads "Tara Dawn Shurling".

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/ts
Enclosures

cc: Rutledge Johnson, Assistant Attorney General (w/enclosures)

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TO:

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