

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of General Sessions
The Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Appellate Case No. 2014-000161

RECEIVED

OCT 28 2015

SC Court of Appeals

STATE OF SOUTH CAROLINA,

RESPONDENT.

v.

KATHY LEONARD REVAN,

APPELLANT.

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

This case involves a direct appeal from Laurens County. My Initial Brief and Designation of Matter are due for filing on today's date. Appellant's multiple motions requesting that the Court Reporter be required to transcribe two audio exhibits in this case have only very recently been resolved. By Order dated August 27, 2015, Appellate Counsel's most recent motion was denied. That order did not set a new due date for the filing deadline for Appellant's Initial Brief. At that juncture, based upon Counsel's previous motions and this Court's previous Orders dated November 20, 2014 and August 27, 2015, Counsel believed she would be given time to hire a private stenographer to produce a transcript of these exhibits if this Honorable Court declined to order the Court Reporter in this case to do so. After Counsel's staff contacted the Court to determine the new briefing schedule, we received this Court's letter dated September 18, 2015, setting the due date for this brief for September 28, 2015. Counsel did not receive that letter until *September 21, 2015*.

On September 28, 2015, Counsel filed a motion for an extension of the date for this brief, due to the fact that Counsel's father had major surgery to remove a tumor in his pancreas, and his spleen, on *September 23, 2015*. Unfortunately, Counsel's father had serious post-surgical complications, and was in Cardiac ICU for two and a half weeks. Altogether, he was in the hospital for nearly three weeks. Even after he was allowed to go home, he was still very ill

and was unable to drive. As Counsel noted in her previous extension request, she is an only child and her mother, who is 80 years old, no longer drives. While Counsel's father was still hospitalized, Columbia experienced the recent historic flood. Although Counsel's losses were minor compared to so many, she did have nearly three feet of sewer water back up into her finished basement causing extensive property damage, and to put it mildly, a horrible biohazard in her home. Dealing with clean-up and mold abatement issues has seriously impacted Counsel's schedule since this event.

Counsel regrets asking for further delay in this direct appeal; however, under these extraordinary circumstances as explained herein, she has no choice. She has been unable to complete the preparation of these documents by today and now respectfully requests a 30-day extension of time in which to prepare and submit the Initial Brief and Designation of Matter on behalf of this client.

Since this is my sixth extension request, I have contacted opposing counsel, Salley W. Elliott, Senior Assistant Deputy Attorney General, who has been willing under these unusual circumstances to consent to this motion as indicated by her signature below. (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 do not anticipate any further extension request for this stage of this appeal. Counsel very much appreciates the Court's consideration during this difficult time.

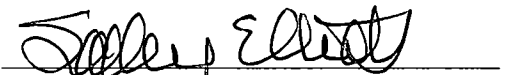
Respectfully submitted,



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

October 28, 2015

I CONSENT:



Salley W. Elliott
Senior Assistant Deputy Attorney General

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM LAURENS COUNTY
Court of General Sessions

OCT 28 2015

The Honorable Eugene C. Griffith, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2014-000161

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

KATHY LEONARD REVAN,

APPELLANT.

CERTIFICATE OF SERVICE

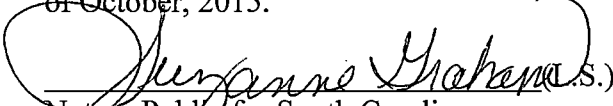
The undersigned attorney hereby certifies that a copy of the Initial Brief and Designation of the Matter in the above-entitled case has been served upon opposing counsel by depositing in the U.S. Mail, postage prepaid, this 28th day of October, 2015 addressed as follows:

Salley W. Elliott
Senior Assistant Deputy 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
3614 Landmark Drive, Suite A
Columbia, S.C. 29204
(803) 738-8622
(803) 738-1600 Fax
ATTORNEY FOR THE APPELLANT.

SWORN TO BEFORE me this 28th day
of October, 2015.



Notary Public for South Carolina

My Commission Expires: 2/28/24