

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED

JAN 13 2016

APPEAL FROM FLORENCE COUNTY  
General Sessions Court  
William H. Seals, Jr., Circuit Court Judge

SC Court of Appeals

Case No. 2013-GS-21-01353  
Appellate Case No. 2015-000235

The State,

Respondent,

v.

Bryant Christopher Gurley,

Appellant.

MOTION FOR EXTENSION OF TIME

Pursuant to Rule 240 of the South Carolina Appellate Court rules, appellant respectfully moves for a seven-day extension of the deadline for filing the initial reply brief of appellant, and in support of this motion states as follows:

1. The initial brief of respondent was served and filed on December 7, 2015. Accordingly, the initial reply brief of appellant was due to be filed on December 17, 2015.

2. Because of the holidays and travel commitments, counsel for appellant sought and was granted a 20-day extension of the deadline for serving and filing the initial reply brief, to January 6, 2016.

3. Appellant's lead counsel was out of the country through January 6, 2016, and therefore not available to participate in the preparation of the initial reply brief that was due on that date. For that reason, counsel sought and the Court granted a seven-day extension, to January 13, 2016.

4. Appellant's lead counsel was at work on Sunday, January 10, 2016, and suddenly became seriously ill, having to be transported to a hospital by ambulance. Counsel remains under medical care and has not returned to the office since Sunday. Counsel also is on medications that impair his cognitive ability, and he is presently unable to participate in the preparation of the initial reply brief. However, counsel hopes to return to the office this week. For this reason, counsel respectfully asks for an additional seven-day extension of the deadline for serving and filing the appellant's initial reply brief. Good cause exists for this extension request.

5. This brief extension request is not for the purpose of delay but for the purpose of allowing appellant's lead attorney to participate in finalizing the initial reply brief of appellant. No prejudice will result to the state from the grant of this extension request.

6. Counsel's staff has consulted with opposing counsel, who has indicated that she consents to this extension request.

7. The undersigned co-counsel signs this extension motion in place of and with the permission of appellant's lead counsel, who is unavailable for medical reasons.

The undersigned co-counsel certifies that she believes the extension is warranted and that there is good cause to seek the extension.

Wherefore, appellant respectfully moves for a seven-day extension of the deadline for serving and filing the initial reply brief of appellant, to January 20, 2016.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "JBS", is written over a horizontal line.

Jack B. Swerling  
1720 Main Street, Suite 301  
Columbia, South Carolina 29201  
Telephone: 803-765-2626  
South Carolina Bar number 5457

Katherine Carruth Goode  
229 South Congress Street  
Post Office Box 1175  
Winnsboro, South Carolina 29180  
Telephone: 803-799-4440  
South Carolina Bar number 8951

Attorneys for Appellant

STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM FLORENCE COUNTY  
General Sessions Court  
William H. Seals, Jr., Circuit Court Judge

---

Case No. 2013-GS-21-01353  
Appellate Case No. 2015-000235

---

The State,

Respondent,

v.

Bryant Christopher Gurley,

Appellant.

---

PROOF OF SERVICE

---

I certify that I have served the Motion for Extension of Time upon respondent, by mailing a copy, postage prepaid, to counsel for respondent, Assistant Attorney General Jennifer Ellis Roberts, Office of the Attorney General, P.O. Box 11549, Columbia, South Carolina 29211, on January 12, 2016.



Katherine Carruth Goode  
229 South Congress Street  
Post Office Box 1175  
Winnsboro, South Carolina 29180  
Telephone: 803-799-4440  
South Carolina Bar number 8951

Attorney for Appellant

RECEIVED

JAN 13 2016

SC Court of Appeals