

STATE OF SOUTH CAROLINA
In The Supreme Court

S.C. SUPREME COURT

MAY 15 2012

RECEIVED

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Alison Renee Lee, Circuit Court Judge

Case No. 2006-CP-40-06751

KIMJARO PRESLEY, 299377,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

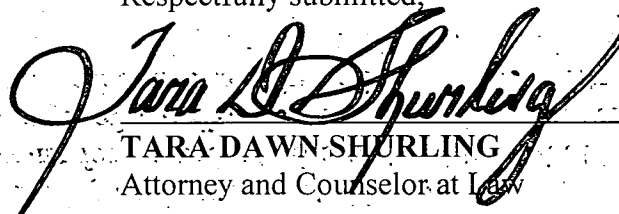
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**PETITIONER'S MOTION
FOR EXTENSION OF TIME**

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 date, May 11, 2012 with three previous extensions having been granted. I am currently preparing for a murder trial scheduled to begin Monday, May 21, 2012. I have been served with nearly 1000 pages of new discovery material this week. I also have several complex Post-Conviction Relief cases currently scheduled to be heard in multiple circuits the same week. For these reasons, I would respectfully request a 30-day extension of time in which to complete my preparation of this Certiorari Petition and to serve and file it with this Honorable Court. Because I had hoped to complete this petition in time for filing by today's date, the appendix was filed and served yesterday.

Since this is my fourth extension request, I have asked opposing counsel for consent to this motion. (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). Rob Corney, the Assistant Attorney General assigned to this matter, is currently on vacation. For that reason, I have discussed this request with his supervisor, Salley W. Elliott, Assistant Deputy Attorney General, and she has consented to this extension request. Ms. Elliott has agreed to forward her written consent to the Court directly. 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. My calendar is much clearer after my upcoming trial. If granted this consideration, I do not anticipate any further extension requests for this stage of this direct appeal.

Respectfully submitted,



TARA DAWN SHURLING
Attorney and Counselor at Law

May 11, 2012.

ATTORNEY FOR APPELLANT

S.C. SUPREME COURT

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KIMJARO PRESLEY, 299377,

PETITIONER,

v.

THE STATE,

RESPONDENT.

CERTIFICATE OF SERVICE

106 Motion for Extension

The undersigned attorney hereby certifies that a copy of the ~~Petition for Writ of Certiorari and a copy of the Appendix~~ in the above-entitled case have been served upon opposing counsel, Rob Corney, Assistant Attorney General, by depositing in the U.S. Mail, postage prepaid, this 11th day of May, 2012.

Tara Dawn Shurling
TARA DAWN SHURLING
Attorney and Counselor at Law

ATTORNEY FOR PETITIONER.

SWORN TO BEFORE me this 11th day
of May, 2012.

Sharon McCollister (L.S.)
Notary Public for South Carolina
My Commission Expires: Jan 16, 2017



ALAN WILSON
ATTORNEY GENERAL

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MAY 16 2012
S.C. SUPREME COURT

May 15, 2012

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: Kimjaro Presley, #299377 v. State

Dear Mr. Shearouse:

I received Petitioner's Motion for Extension of Time in the above case. I have spoken with counsel for petitioner and have consented to her request.

Sincerely,

Salley W. Elliott
Senior Assistant Deputy Attorney General

SWE/ab

cc: Tara D. Shurling, Esquire