

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

MAY 22 2017

S.C. SUPREME COURT

APPEAL FROM CHESTERFIELD COUNTY
Court of General Sessions
Donald B. Hocker, Circuit Judge
2017-UP-037 (S.C. Ct. App. filed Jan. 11, 2017)
Appellate Case No. 2017-00718

State of South Carolina.....Respondent,

v.

Curtis Brent Gorny.....Petitioner.

**MOTION TO FILE REPLY IN SUPPORT OF PETITION FOR
WRIT OF CERTIORARI OUT OF TIME**

Wallace H. Jordan, Jr., M.W. Cockrell, III and Sarah C. Campbell; counsel for the Petitioner in the above-captioned case, hereby respectfully moves this Court, pursuant to Rules 208 and 240, SCACR, for an order allowing petitioner to file his reply in support of petition for writ of certiorari out of time.

In support of this motion, counsel for Petitioner shows the following:

1. The Petitioner's reply was due on May 19, 2017, and that day has passed;
2. The Petitioner has not previously asked for an extension of time to file a reply in support of petition for writ of certiorari out of time;
3. Petitioner retained and associated additional counsel, Wallace H. Jordan, Jr., to assist with this petition;
4. Mr. Wallace H. Jordan, Jr., as Representative of House District 63, was involved in legislative matters through the week ending May 12, 2017;
5. Additionally, Mr. Wallace H. Jordan, Jr. was on family vacation (out of the country) from May 12, 2017 until May 21, 2017;


6. Communications with Mr. Wallace H. Jordan, Jr. and M. W. Cockrell, III and Sarah C. Campbell were limited due to attention dedicated with legislative matters and difficulties communicating while overseas.
7. All counsel (Wallace H. Jordan, Jr.; M.W. Cockrell, III and Sarah C. Campbell) wanted full opportunity for discussion, input and review prior to filing the same.
8. Petitioner's reply in support of petition for writ of certiorari was due May 19, 2017.
9. Petitioner's reply in support of petition for writ of certiorari is/was filed this day, May 22, 2017; (1 working day out of time).
10. Upon information and belief, Counsel for the Government will not be prejudiced by the requested relief.
11. This motion is filed, not for delay, but in the interests of justice so that the Court may have and review the brief filed and in the event Appellant does not forward the confirmation anticipated.

WHEREFORE, for the foregoing reasons, the Petitioner respectfully requests leave to file the reply in support of petition for writ of certiorari out of time brief.

Respectfully submitted this the 22nd day of May 2017.


Respectfully Submitted,

WALLACE H. JORDAN, JR., P.C.

By: 
for WHJ, Jr. by permission

Wallace H. Jordan, Jr., P.C.
626 West Evans Street
Florence, South Carolina 29503-2010
Phone: 843-662-4474

COCKRELL LAW FIRM, P.C.

By: 

M.W. Cockrell, III
Sarah C. Campbell
Barrister Building
Olde Towne Centre
159 Main Street
Chesterfield, South Carolina 29709
Phone: (843) 623-5911
Fax: (843) 623-5700
Attorneys for Appellant

May 22, 2017
Chesterfield, South Carolina

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

MAY 22 2017

APPEAL FROM CHESTERFIELD COUNTY
Donald B. Hocker, Circuit Judge
Appellate Case No. 2017-00718

S.C. SUPREME COURT

State of South Carolina.....Respondent,

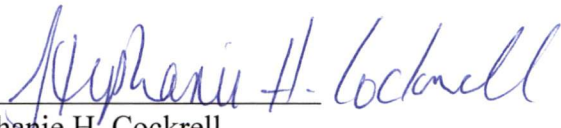
v.

Curtis Brent Gorny.....Appellant.

PROOF OF SERVICE

I, Stephanie H. Cockrell, certify that I have served the Motion to File Reply in Support of Writ of Certiorari Out of Time on Respondent by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

The Honorable Alan M. Wilson
V. Henry Gunter, Jr.
SC Attorney General's Office
PO Box 11549
Columbia, SC 29211

By: 
Stephanie H. Cockrell
Paralegal
159 Main Street
Chesterfield South Carolina 29709
843-623-5911

May 22, 2017