

3rd AFB due 3/9/18

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

MAR 07 2018

APPEAL FROM HORRY COUNTY  
Court of General Sessions  
The Honorable Thomas Anthony Russo, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2017-001229

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

DAVID HAROLD CAMPBELL,

APPELLANT.

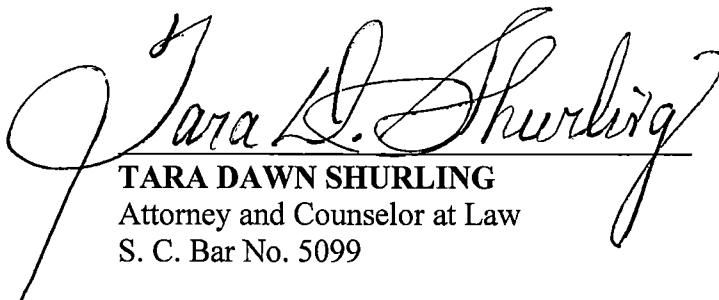
**APPELLANT'S MOTION  
FOR EXTENSION OF TIME**

This case involves a direct appeal from Horry County. My Initial Brief and Designation of Matter are due for filing on March 7, 2018. As I explained in my previous extension request, Appellant disputes the accuracy of a portion of the trial record provided by Court Reporter, Kay H. Richardson. Ms. Richardson advises that she has reviewed this record, including the pre-trial motion portion, and found that "no portion was left out". She therefore submits that the record as prepared is accurate. It remains my client's position that a portion of the argument made by Trial Counsel, and the Court's ruling thereon, is missing from this record. In order to properly evaluate the client's position concerning this record, I requested a copy of a DVD introduced as State's Exhibit No. 2. Unfortunately, the Horry County Clerk of Court's Office has advised me that they will not provide me with a copy of that disk and that if I need a copy I will have to come to Conway with a laptop computer and make a copy at their office. I am requesting that the Solicitor's Office provide me a copy of this disk. If they decline to do so, I will make arrangements to have someone to go to Conway and make me a copy of this exhibit.

After reviewing the DVD, I will determine whether it will be necessary to ask the presiding judge for an order directing the Court Reporter to make her back-up tapes available to me for review. She has declined to make the tapes available for me to review at Court Administration without a Court Order. The Court Reporter has acknowledged that she is

required to maintain the back-up tapes for one year, and therefore, that the records in question will be preserved until August 22, 2018. For the reasons given above, I respectfully request a 30-day extension of time in which to prepare and submit the Initial Brief and Designation of Matter on behalf of this client. Inasmuch as this is my third extension request, opposing counsel, J. Benjamin Alpin, Senior Assistant Deputy Attorney General, has been made aware of this request and has graciously indicated that he has no objection to this request. 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. (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).

Respectfully submitted,



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

ATTORNEY FOR APPELLANT.

This 6<sup>th</sup> day of March, 2018.

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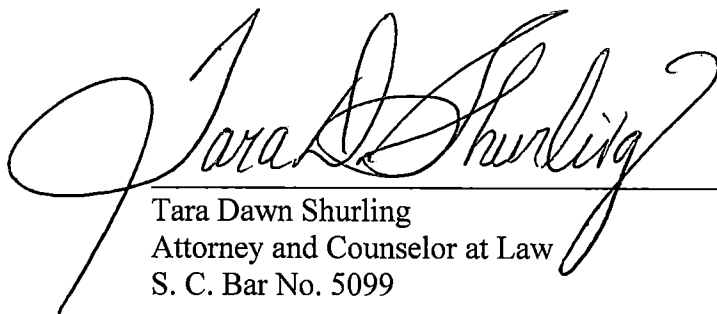
DAVID HAROLD CAMPBELL,

APPELLANT.

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a copy of the Motion for Extension of Time to File 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 6<sup>th</sup> day of March, 2018 addressed as follows:

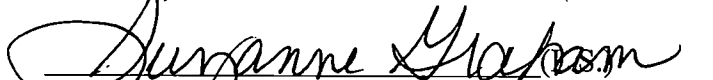
J. Benjamin Alpin  
Senior Assistant Deputy Attorney General  
Office of the Attorney General  
P o Box 11549  
Columbia, SC 29211



Tara Dawn Shurling  
Attorney and Counselor at Law  
S. C. Bar No. 5099

Attorney for Appellant

SWORN TO BEFORE me this 6<sup>th</sup> day  
of March, 2018.



Suzanne Graham  
Notary Public for South Carolina  
My Commission Expires: 2/28/24

LAW OFFICE OF



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MAR 07 2018

**TARA DAWN SHURLING, PA**

Attorney and Counselor at Law

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**SC Court of Appeals**

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March 6, 2018

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

**RECEIVED**

MAR 07 2018

**SC Court of Appeals**

Re: State of South Carolina v. David Harold Campbell  
Appellate Case No.: 2017-001229

Dear Ms. Kitchings:

Enclosed for filing please find the Petitioner's Motion for Extension of Time and my Certificate of Service in the above-captioned case. I would appreciate your clocking and returning the extra copy enclosed in the envelope provided. With my thanks for the Court's kind assistance in this matter, I remain,

Yours sincerely,

A handwritten signature in black ink that reads "Tara Dawn Shurling". The signature is written in a cursive, flowing style.

Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sg

Enclosures

cc: J. Benjamin Alpin, Senior Assistant Deputy Attorney General (w/enclosure)  
David Harold Campbell, #265686 (w/enclosure)  
Jynere Friday (w/enclosure)

✓