

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

*2nd AFB due 8/20/18*

**RECEIVED**

AUG 23 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 SECOND PETITION TO EXTEND STAY  
AND DEADLINE FOR BRIEFING**

In Appellant's first Petition to Extend the Stay previously issued in this appeal, she requested that she be given thirty (30) days to complete the review of the backup recordings from Appellant's trial and that she be given an additional thirty (30) days from the completion of that review to prepare and submit the Initial Brief of Appellant. On July 7, 2018, this Honorable Court issued its Order giving Appellant until today's date to file the Initial Brief of Appellant in the above captioned matter. Counsel for Appellant has completed her review of the backup recordings from this trial with Appellant. Appellant remains resolute in his belief that one ruling by the lower court is missing from both the backup recordings and the trial transcript provided by the Court Reporter. In addition, he believes that a Motion for a Mistrial made by his trial counsel fails to appear in the transcript provided by the Court Reporter, and inexplicably appears in the backup recordings and the trial transcript as an Objection.

Appellant Counsel has, with leave of the circuit court, provided a copy of the backup recordings to Appellant's two trial attorneys, and requested their feedback concerning this dispute. Attorney Morgan Martin advises Appellant Counsel that while he has no independent recollection

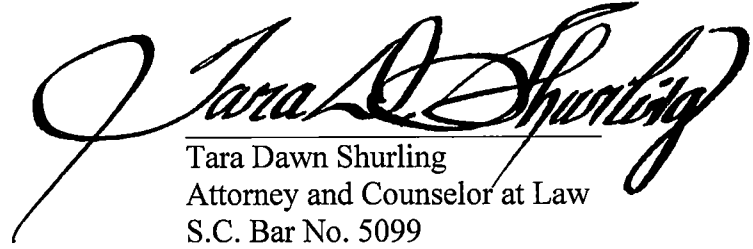
of the portions of the trial in dispute, he feels certain that he would have objected on the record if the Court had changed an earlier favorable ruling *in limine* during the course of Appellant's trial. Appellant Counsel has not heard back from Attorney Russell Long concerning his review of the backup recordings.

Appellant has requested that Counsel seek leave of Court from the presiding circuit judge to provide a copy of the backup recordings to an expert for determination as to whether said expert feels there is any foundation for the belief that these recordings may have been altered. Counsel has been contacted by said expert, Zac Giammarrusco, whose Curriculum Vitae is attached hereto, and is advised that he should be able to determine from a copy of the backup recordings whether there is any plausible reason to believe the recordings have been altered. Counsel is preparing a motion to file in the circuit court requesting permission to provide this expert access to a copy of the backup recordings. Counsel is advised that this expert anticipates being able to give Counsel an opinion addressing the Appellant's concerns fairly quickly.

For the above reasons, Counsel for Appellant most respectfully asks that the stay of this appeal be extended for an additional thirty (30) days. Counsel proposes to report the findings of this expert to the Court within that time period. Counsel respectfully asks that her time limits for filing the Initial Brief of Appellant be set for thirty (30) days after final resolution concerning this transcript dispute. Counsel has not had the opportunity to discuss recent developments in this dispute with opposing counsel, J. Benjamin Alpin, Senior Assistant Deputy Attorney General, and therefore would ask that he make the State's position concerning this request known to the Court directly.

Signature found on Page 3

Respectfully submitted,



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

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ATTORNEY FOR APPELLANT

August 20, 2018

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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

Appellate Case No. 2017-001229

THE STATE OF SOUTH CAROLINA,

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DAVID HAROLD CAMPBELL,

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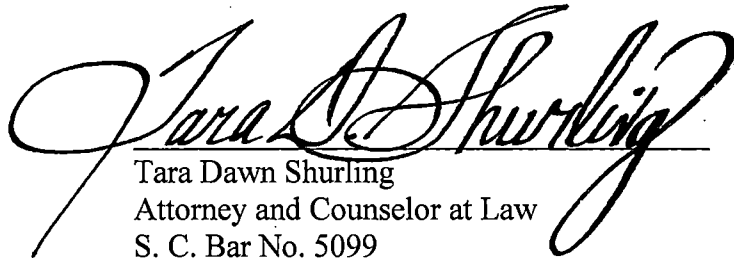
RESPONDENT,

APPELLANT.

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a copy of the Second Petition to Extend Stay in the above-entitled case has been served upon opposing counsel by email with hardcopy deposited in the U.S. Mail, postage prepaid, this 20<sup>th</sup> day of August, 2018 addressed as follows:

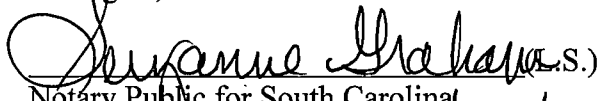
J. Benjamin Alpin  
Senior Assistant Deputy Attorney General  
Office of the Attorney General  
P o Box 11549  
Columbia, SC 29211



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

Attorney for Appellant

SWORN TO BEFORE me this 20<sup>th</sup> day  
of August, 2018.

  
(Suzanne Graham, S.)  
Notary Public for South Carolina  
My Commission Expires: 2/28/24



10259 Julian CT.  
Westminster, CO 80031  
970-319-1148

## DIGITAL FORENSICS EXAMINER

### CURRICULUM VITAE

**Zac Giammarrusco**

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#### **SKILL SUMMARY:**

Digital forensics examiner specializing in audio and video forensic requests. Honors graduate from The National Center for Media Forensics. Experience includes performing forensic authenticity, enhancement and redaction requests from hard drives, laptops, mobile devices, and other portable storage media.

- **Desktop Operating Systems:** Windows 95/98, 2000 Professional, XP Professional, Windows 7 Ultimate; Mac OS X (All Flavors)
- **Applications:** Matlab 2017b, ENCE, FTK (Access Data) FFMPEG, Adobe Audition CC, Adobe Premiere CC, Adobe After Effects CC, Adobe Bridge CC,, WinHEX, HexFind, ISObuster, Media Info, Cam Studio. Protools HD, Logic Pro X, iZotope RX 6 Advanced.

#### **PROFESSIONAL EXPERIENCE:**

##### **Founder & Digital Forensic Examiner, Focal Forensics**

January 2018 to Present

Focal forensics, Denver, CO

- Redaction
- Supporting video and audio conversion and enhancement requests.
- Audio and video authenticity requests.
- Audio and video redaction requests
- Facial comparison requests

##### **Digital Forensic Examiner, Verden Forensics**

January 2018 to Present

Verden Forensics, Denver, CO

- Lead examiner in charge of all work requested out of the U.S.
- Supporting video and audio conversion and enhancement requests.
- Audio and video authenticity requests.
- Audio and video redaction requests
- Facial comparison requests

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## CURRICULUM VITAE

### **Zac Giammarrusco**

#### **Digital Forensic Examiner, CACI Digital Forensics Laboratory**

August 2016 to Present

CACI, Inc., Alexandria, VA

- Current primary role supporting the development of the redaction as a service program for state and federal law enforcement.
- Supporting video and audio conversion and enhancement requests.
- Audio and video authenticity requests.
- Audio and vide redaction requests

#### **Digital Forensics Examiner, Cyopsis Lab**

March 2015 to August 2016

Cyopsis, Inc., Denver, CO

- Forensic examiner in charge of maintaining evidence integrity throughout the life cycle of the lab.
- Primary role creating forensic images from laptops, cellphones, and other multimedia storage devices .
- Responsible for audio, video, image conversions and enhancement requests.
- Responsible for audio, image and video authenticity examinations.
- Computer forensic requests
- Media Recovery

#### **EDUCATION:**

- Masters of Science- Media Forensics, University of Colorado, Denver. December, 2014
- Bachelors of Recording Arts- Audio Engineering, University of Colorado, Denver. December 2012

#### **PUBLISHED WORK:**

“Source Identification of High Definition Videos: A forensic Analysis of Downloaders and YouTube Video Compression Using a Group of Action Cameras.”  
Zac Giammarrusco, Catalin Grigoras, Jeff Smith, ©2014

#### **SEMINARS AND CLASSES**

- LEVA (Law Enforcement & Emergency Services Video Association) Level 1 4/3/17-4/7/17 40hr

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## CURRICULUM VITAE

### **Zac Giammarrusco**

#### **PROFESSIONAL MEMBERSHIPS:**

- IAI (International Association for identification) Member
- LEVA (Law Enforcement & Emergency Services Video Association) associate member
- AAFS (American Academy of Forensic Science's) – associate member.
- SWGDE (Scientific working group on digital evidence)- Participant.
- Certified Private Investigator (State of Colorado 2016)

#### **TESTIMONY:**

- 04/18/2018 Fort Lauderdale, FL; Fraud investigation (Facial Comparison) [Case #15008519CF10A] State of Florida Vs. John Robinson. 540 South East 3rd AVE. Fort Lauderdale FL 33301
- 02/17/2018 Fort Collins, CO; Child Custody (Image Authentication) [Case #2013-DR-0572] Divison 1A Larimer County District Court; 201 LaPorte Avenue Fort Collins, Colorado 80521.

#### **DEPOSITION:**

- 04/12/2018 For the circuit court of the 17th judicial circuit, in Broward County, Florida Case NO: 14-8519CF10A (Facal Comparison) State of Florida Vs. John Robinson.

#### **SECURITY CLEARANCES:**

- DOJ MBI

LAW OFFICE OF



**TARA DAWN SHURLING, PA**

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August 20, 2018

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

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AUG 23 2018

SC Court of Appeals

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

Dear Ms. Kitchings:

Enclosed please find for filing the original and six (6) copies of my Second Petition to Extend Stay and Deadline for Briefing and Certificate of Service in the above captioned matter. I would appreciate your clocking and returning the one extra copy in the enclosed self-addressed, stamped envelope. With my best regards, I remain,

Yours sincerely,

A handwritten signature in black ink that reads "Tara Dawn Shurling". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Tara Dawn Shurling  
Attorney and Counselor at Law

TDS/sg

Enclosures

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

✓



Law Office of  
**TARA DAWN SHURLING, PA**  
3614 LANDMARK DRIVE, SUITE A  
COLUMBIA, SOUTH CAROLINA 29204



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The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
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