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DEC 10 2020
S.C. SUPREME COURT

December 7, 2020

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

Re: State of South Carolina v. Julian C. Young; 2011-GS-38-1833.
Appellate Case No. 2020-000896

Dear Mr. Shearouse:

The Appendix was served upon me electronically on November 20, 2020. See, attached e-mails. I subsequently called the Office of the Attorney General and notified them that I had not received a hard copy and needed it to be sent right away. Early last week I realized that I had not received the hard copy of the State's Appendix and called the Court to inquire as to whether it had been filed with the Court. It had been filed electronically. I also called the office of the Attorney General and inquired on the status of my request for a hard copy of the Appendix. I was assured it would be mailed out right away. Part of my concern was that the e-mails to which the Appendix was attached indicated that I had been sent Volume II of the Appendix *twice* and Volume III once. The volumes themselves were not labeled, so I believed I had not seen sent Volume I, even electronically. Once I sat down with it and read into the Attachment to the first e-mail sent indicating that it contained Volume II as an attachment, I realized that it was in fact Volume I and the e-mail simply erroneously referenced it as Volume II.

Unfortunately, on Wednesday of last week my fall allergy battle turned into a sinus infection and an ear ache. Thursday, I was started on antibiotics and today has been my first day back in the office other than one quick stop to collect mail to review while I was out sick.

At the time I received the State Certiorari Petition in this matter I understood that the Court's Order pertaining to the procedures to be employed during the COVID 19 pandemic allowed filing of an Appendix electronically pursuant to section (c)(3). For some reason, frankly not clear to me now, I did not think the filing of an appendix pursuant to that portion of the rule relieved the state of the responsibility to provide me a hard copy of the appendix. Having studied the March 20, 2020 order

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more carefully, I realize that my reading of the memorandum may not have been correct. My concern is, that in post-conviction relief matters, that interpretation of this Order would place the burden on the Respondent to pay for the unanticipated expense of producing a work copy of the Appendix and having the Appendix downloaded in order to provide the client a copy as well. The Appendix is 1501 pages long. The Order granting a New Trial in this complex case was prepared by Judge Brown himself and it alone is nearly 100 pages long.

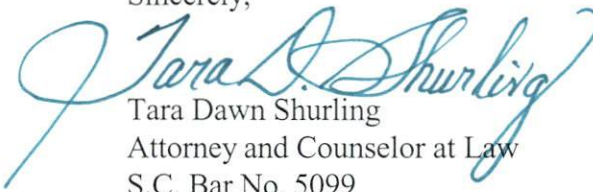
In any event, on today's date I received a hard copy of the 1501 page Appendix. I thank opposing counsel, Benjamin H. Limbaugh, Assistant Attorney General, for providing me this copy of the Appendix. I would ask that my time for filing my Return be set from today's date based upon my receipt of the hard copy of the Appendix on today's date. That would put my Return due on January 6, 2021. If it is the judgment of the Court that the time for my Return began to run on October 20, 2020, then my Return was due November 19, 2020. In that case, I would ask for leave to file this request for a thirty (30) day extension out of time on today's date, which would make my Return fall due on Saturday, December 19, 2020. This would make my deadline for filing December 21, 2020.

This is my first extension request in this PCR Appeal. My cross-appeal was filed on Monday, November 30, 2020, following my receipt of Judge Brown's Order granting the State's Motion to Withdraw its Motion to Alter or Amend Pursuant to Rule 59(e), SCRCP. Therefore, Respondent/Petitioner's Petition for Writ of Certiorari on his cross-appeal is due December 30, 2020.

I apologize to everyone if my misunderstanding of the directives found in the Court's Order dated March 20, 2020, was incorrect. I also apologize for waiting until today to write and clarify what happened. I have been out sick for a week with my usual battle with a sinus infection from my fall allergy issues. I am on antibiotics now and thankfully improving.

With my sincere thanks for the Court's time in consideration of this request, I remain,

Sincerely,


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

Cc: The Honorable Winnifa B. Clark, Clerk of Court for Orangeburg County
Benjamin H. Limbaugh, Assistant Attorney General

TDSLAW

From: Benjamin Limbaugh [BLimbaugh@scag.gov]
Sent: Tuesday, October 20, 2020 12:01 AM
To: Tara Shurling
Subject: Julian Young PWC and Appendix
Attachments: Julian Young PWC (02405962xD2C78).pdf; Julian Young Appendix Volume II (02405966xD2C78).pdf

Good evening Tara,

Please find attached my PWC and appendix for Mr. Young. I am happy to talk with you tomorrow about the matter. My apologies, I'm having to send the appendix in multiple emails

Thank you,
Ben



Benjamin Limbaugh
A.A.G.
Post-Conviction Relief
Section

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TDSLAW

From: Benjamin Limbaugh [BLimbaugh@scag.gov]
Sent: Tuesday, October 20, 2020 12:11 AM
To: Tara Shurling
Subject: Julian Young Appendices
Attachments: Appendix Volume III (02405968xD2C78).pdf

Tara,

Here are the remaining appendices. The first one I sent was mislabeled.

Thank you,
Ben



Benjamin Limbaugh
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TDSLAW

From: Benjamin Limbaugh [BLimbaugh@scag.gov]
Sent: Tuesday, October 20, 2020 12:12 AM
To: Tara Shurling
Subject: Julian Young Appendix
Attachments: Julian Young Appendix Volume II (02405967xD2C78).pdf

Final one.

Thank you,
Ben



**Benjamin Limbaugh
A.A.G.
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