

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions
The Honorable R. Markley Dennis, Jr., Circuit Court Judge

Appellate Case No. 2019-000511

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

AARON MCKENZIE CAPERS

APPELLANT.

**Petition for Leave of Court to File
Third Extension Request
Out of Time
And
Appellant's Third Request for
Said Extension of Time in Which to File
The Initial Brief of Appellant and
Designation of the Matter**

NOW COMES the Appellant in the above captioned direct appeal, acting by and through his undersigned counsel, asking that his time limits for filing his Initial Brief of Appellant and Designation of the Matter be extended for an additional thirty days. This is Appellate Counsel's third extension request at this stage of this direct appeal. The Order of this Honorable Court granting Petitioner's second extension request set the due date for January 7, 2022. Through a clerical error, the due date was inadvertently calendared for Saturday, January 8, 2022, which would have made this filing due by today's date; January 10, 2022. This error was discovered on today's date. For this reason, Counsel respectfully asks that this Honorable Court grant appellate counsel leave to file



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this extension request, included in this petition, out of time.

As the Court is already aware, I had an accident on November 28, 2021 and sustained a large, second degree burn on the under side of my right forearm. My physician had requested that I be excused from work until December 12, 2021.

Then, in what was most unfortunate timing, on December 7, 2021, my 91 year old father had a serious medical crisis that resulted in him being hospitalized until December 29, 2021. Since December 27, 2021 I have been heavily involved in helping my parents prepare for my father's discharge to home care. I have also been physically assisting with his care while arrangements have been made for his professional in home care.

I have communicated with opposing counsel, William M. Blich, Jr., concerning this matter and he has graciously consented to both my extension request and my petition to file this request out of time. Inasmuch as I am now a sole practitioner, I have no other attorney's in my office available to attest to the necessity of these requests. I would very much appreciate the Court's consideration during this difficult time.

Respectfully submitted,



Tara Dawn Shurling
S.C. Bar No. 5099

Law Office of Tara Dawn Shurling, PA
3614 Landmark Drive, Suite A
Columbia, South Carolina 29204

(803)738-8622 Phone
(803)738-1600 FAX
(803)446-3614 Business Cell
tdslaw@shurlinglaw.com

ATTORNEY FOR APPELLANT

January 10, 2022

Other Counsel of Record: William M. Blich, Jr., Esquire

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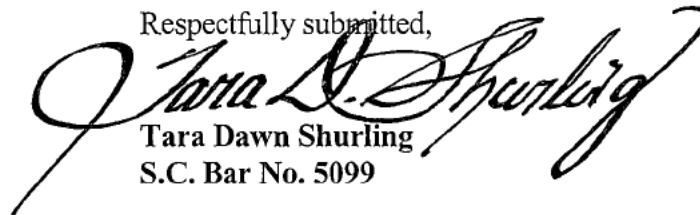
AARON MCKENZIE CAPERS

APPELLANT.

Certificate of Service

Undersigned Counsel for Appellant in the above captioned direct appeal, hereby certifies that on today's date a copy of the Petition to file Appellant's third extension request regarding the Initial Brief of Appellant, and Designation of the matter, and his request to file said request out of time, has been served on opposing counsel, William M. Blicht, Jr., through to USPS by placing one addressed to William M. Blicht, Jr., Assistant Attorney General, Post Office Box 11549, Columbia, SC, 20211.

Respectfully submitted,



Tara Dawn Shurling
S.C. Bar No. 5099

Law Office of Tara Dawn Shurling, PA
3614 Landmark Drive, Suite A
Columbia, South Carolina 29204

(803)738-8622 Office
(803)446-3614

ATTORNEY FOR APPELLANT

January 10, 2022

LAW OFFICE OF



TARA DAWN SHURLING, PA

Attorney and Counselor at Law

3614 Landmark Drive

Suite A

Columbia, South Carolina 29204

(803) 738-8622

(Fax) (803) 738-1600

E-Mail: tdslaw@shurlinglaw.com

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SC Court of Appeals

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

Re: State of South Carolina v. Aaron McKenzie Capers; Appellate Case No. 2019-000511.

Dear Ms. Kitchings:

Enclosed please find for filing in the above captioned matter, the original and six copies of my petition to file my third extension request for the Initial Brief of Appellant, and the Designation of the matter, in the above captioned direct appeal, out of time. This petition also includes the extension request itself. The request to file this extension request out of time was necessary due to the fact that the current filing date was inadvertently calendared for January 8th instead of the 7th. Had it been due the 8th, which fell on Saturday, my request on today's date would have been timely. I apologize for that error. Thank you very much for you time. I remain,

Sincerely yours,

A large, elegant handwritten signature in black ink that reads "Tara Dawn Shurling".

Tara Dawn Shurling
Attorney and Counselor at Law

TDS/ts

Enclosures

cc: William M. Blich, Esquire
Sharon Capers, Esquire
Aaron M. Capers



Law Offices of
TARA DAWN SHURLING
3614 Landmark Drive, Suite D
Columbia, South Carolina 29204

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

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Re: Alapers