

RECEIVED

Jun 06 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

The Honorable R. Markley Dennis, Circuit Court Judge

Appellate Case No. 2019-000511

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

AARON MCKENZIE CAPERS,

APPELLANT.

Petition to Submit
Amended Initial Brief of Appellant and
DOM

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

3614 Landmark Drive, Suite A
Columbia, SC 29204
(803) 738-8622
(803) 738-1600 FAX
tdshurling@aol.com

ATTORNEY FOR APPELLANT

On May 16, 2022, Undersigned Counsel completed her Initial Brief of Appellant in the above captioned matter with the exception of the table of authorities and the DOM. Counsel was having difficulty getting her computer to generate these pages. Counsel tried for hours to resolve this problem, but as midnight approached she gave up and filed the Initial Brief of Appellant without the pages in question being completed. I am afraid it may have actually been slightly after midnight before this filing was emailed. Counsel was simply exasperated and noted in her transmittal letter that she would file the brief with the missing portions corrected to following day. Counsel did email her Amended Brief the following day, but neglected to send an appropriate Petition for leave to file her Amended Initial Brief.

Counsel sincerely apologizes to the Court for this oversight. She asks that the Court accept as timely filed her corrected Initial Brief of Appellant filed and served electronically on May 17, 2022. She asks that her time limits for filing the Record on Appeal in this matter be run from the date of this Honorable Court's ruling on this Petition. Counsel has not discussed this request with opposing counsel, William A. Blich, Jr. and would ask that he convey his position of this Petition to the Court directly.

Respectfully submitted,

S/ *Tara D. Shurling*

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

ATTORNEY FOR APPELLANT

This 6th day of June, 2022

RECEIVED

Jun 06 2022

SC Court of Appeals

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

Lower Court Cases No. 2018-GS-08-00532, 2018-GS-08-00531, 2018-GS-08-00528,
2018-GS-08-00529 and 2018-GS-08-00530

Appellate Case No. 2019-000511

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

AARON MCKENZIE CAPERS

APPELLANT.

CERTIFICATE OF SERVICE
OF
PETITION FOR AMENDED INITIAL BRIEF OF APPELLANT
TO BE ACCEPTED AS TIMELY
AS FILED on May 17, 2022.

Undersigned Counsel for Appellant in the above captioned direct appeal hereby certifies that she has on today's date, June 6, 2022, served opposing counsel, William M. Blicht, Jr., Senior Assistant Deputy Attorney General, with a copy of her above captioned petition. This petition was served upon opposing counsel by way of an email sent to Attorney Blicht to the address listed below.

wblitch@scag.gov

Respectfully submitted,

Tara D. Shurling

Tara Dawn Shurling

S.C. Bar No. 5099

Attorney and Counselor at Law

ATTORNEY FOR APPELLANT

This 6th day of June, 2022.