

**ORIGINAL**

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to the Court of Appeals  
Appeal From Sumter County  
Hon. Howard P. King, Circuit Court Judge

The State,

\_\_\_\_\_  
Respondent,

v.

Mark Baker,

\_\_\_\_\_  
Petitioner.

\_\_\_\_\_  
Opinion No. 4698 (S.C. Ct. App. filed June 15, 2010)

**RECEIVED**

MAY 24 2012

**MOTION FOR SECOND EXTENSION OF TIME  
TO SERVE AND FILE BRIEF OF RESPONDENT**

**SC Court of Appeals**

\_\_\_\_\_  
Respondent, through its undersigned counsel, would respectfully show this Court:

I.

The Brief of Respondent is due to be served and filed on May 23, 2012.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a second extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. I have completed the following briefs in the past few month: State v. Saunders, State v. Kelly, State v. Cameron, State v. Leggette, State v. Harrison, State v. Burton, State v. Hawes, State v. Tyre, State v. Norris, In the Interest of Resean L, State v. Middleton, State v.

2nd

Chen, and State v. Paugh. The undersigned has completed a Petition for Writ of Certiorari in In the Matter of the Care and Treatment of Way, State v. Watkins State v. Hercheck, State v. Sawyer, and State v. Collins, as well as a Return to the Petition for Writ of Certiorari in State v. Welch, In the Matter of the Care and Treatment of Way, State v. Burdine, and State v. Sterling. The undersigned has prepared for and participated in oral argument before the South Carolina Supreme Court in State v. Green, In the Matter of the Care and Treatment of Bobby Manigo, State v. Kelly, and State v. Phillips as well as in the Court of Appeals in State v. Phillip Miller, State v. Harlin, State v. Collins, In the Matter of the Care and Treatment of Williams, State v. Gregory, State v. Epting, State v. Wood, State v. Hoyle, State v. Williams, State v. Vickery, State v. Thompson, and State v. Harrison.

### III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared. I therefore request a second extension of time within which to serve and file the Brief of Respondent.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

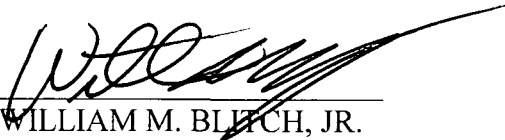
Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

SALLEY W. ELLIOTT  
Senior Assistant Deputy Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General

A handwritten signature in black ink, appearing to read "William M. Blitch, Jr.", written over a horizontal line.

WILLIAM M. BLITCH, JR.  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 23, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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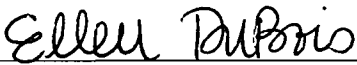
\_\_\_\_\_  
Opinion No. 4698 (S.C. Ct. App. filed June 15, 2010)

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

I, ELLEN DuBOIS, certify that I have served the within Motion for Second Extension of Time to Serve and File Brief of Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Kathrine H. Hudgins, Esquire  
SC Commission on Indigent Defense  
Division of Appellate Defense  
P. O. Box 11589  
Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.  
This 23<sup>rd</sup> day of May, 2012.

  
\_\_\_\_\_  
ELLEN DuBOIS  
Legal Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

May 23, 2012

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**S.C. Supreme Court**

Kathrine H. Hudgins, Esquire  
SC Commission on Indigent Defense  
Division of Appellate Defense  
P. O. Box 11589  
Columbia, South Carolina 29211

Re: State v. Mark Baker

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MAY 24 2012

**SC Court of Appeals**

Dear Ms. Hudgins:

I am enclosing two (2) copies of the Motion for Second Extension of Time to Serve and File Brief of Respondent in the above-referenced case.

If you have any questions concerning this matter, please contact me.

Sincerely,

William M. Blich, Jr.  
Assistant Attorney General

WMB:erd  
Enclosures

cc: ~~Honorable Daniel E. Shearouse (original and six enclosed)~~  
Victim Services (enclosure)