

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

**RECEIVED**

JUN 12 2013

Appeal from Oconee County  
Honorable R. Lawton McIntosh, Circuit Court Judge  
Appellate Case Tracking No. 2012-206186

**S.C. Supreme Court**

The State,

Respondent,

vs.

Anthony Clark Odom,

Appellant.

**MOTION FOR THIRD EXTENSION OF TIME  
WITHIN WHICH TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on June 14, 2013.

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 third extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Court of Appeals, I am unable to complete this Brief on time. The undersigned has completed briefs in State v. Mozee, State v. Johnson, State v. Pitts, State v. Gadsden, State v. Orozco, and State v. Fuller. Additionally, the undersigned

completed a Return to the Petition for Writ of Certiorari in State v. Samuel and State v. Donahue. The undersigned completed a Brief in Opposition to a Petition for Writ of Certiorari filed in the United States Supreme Court in the case of State v. Phillips. The undersigned has also prepared Returns to Petitions for Rehearing in State v. Blakely and State v. Pradbrusi. Further, the undersigned has participated in oral argument at the Court of Appeals in State v. Carlisle, State v. Rhoad, State v. Tilmon, State v. Watson, State v. Bolden, and State v. Tyre and in the Supreme Court in State v. Hercheck.

### III.


This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. The undersigned hopes to have the Initial Brief completed in a timely manner. I would therefore request a third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.


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 Initial Brief of Respondent and Designation of Matter 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,

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ATTORNEYS FOR RESPONDENT

June 12, 2013

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PROOF OF SERVICE

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I, Ellen R. DuBois, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief Of Respondent And Designation Of Matter on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Brian McDaniel, Esquire  
Post Office Box 2085  
Beaufort, South Carolina 29901

I further certify that all parties required by Rule to be served have been served.  
This 12<sup>th</sup> day of June, 2013.

*Ellen R. DuBois*

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