

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

JUL 15 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 FOURTH 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 July 15, 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 fourth 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. Gadsden, State v. Orozco, State v. Fuller, and State v. Gorman. Additionally, the undersigned completed a Return to the Petition

for Writ of Certiorari in 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 and State v. Wade. Finally, the undersigned was out of the office for approximately ten days due to pneumonia and bronchitis.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. The Initial Brief of Appellant raises several significant constitutional issues. Further, in order to address some of the issues in the Appellant's brief, the undersigned had to obtain a significant amount of information regarding the history of the prosecution from several prosecutors. The undersigned hopes to have the Initial Brief completed in a timely manner and without any further delay. I would therefore request a fourth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

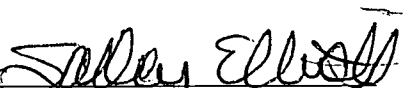
WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other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

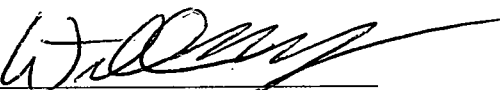
Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General


JOHN W. McINTOSH
Chief Deputy Attorney General


SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General


WILLIAM M. BLITCH, JR.
Assistant Attorney General
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

July 15, 2013

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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

The State,

Respondent,

vs.

Anthony Clark Odom,

Appellant.

PROOF OF SERVICE

I, Ellen R. DuBois, certify that I have served the Motion For Fourth 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 15th day of July, 2013.

Ellen R. DuBois

ELLEN R. DuBOIS
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727