

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County
Honorable Edward W. Miller, Circuit Court Judge
Appellate Case Tracking Number 2013-000804

RECEIVED

AUG 19 2013

S.C. Supreme Court

The State,

Respondent,

vs.

Bobby J. Barton,

Petitioner.

**MOTION FOR SECOND EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE RETURN TO THE PETITION FOR WRIT OF
CERTIORARI**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Return to the Petition for Writ of Certiorari is due to be served and filed on August 19, 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 second 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 Return on time.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Return is properly researched and prepared. The undersigned hopes to have the Return completed in a timely manner. I would therefore request a second extension of time within which to serve and file the Return to the Petition for Writ of Certiorari.

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 Return to the Petition for Writ of Certiorari 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



WILLIAM M. BLITCH, JR.
Assistant Attorney General

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

August 19, 2013

STATE OF SOUTH CAROLINA

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Honorable Edward W. Miller, Circuit Court Judge
Appellate Case Tracking Number 2013-000804

The State,

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion For Second Extension Of Time Within Which To Serve And File Return to the Petition for Writ of Certiorari on Petitioner by depositing a copy of same in the United States mail, postage prepaid, addressed to:

LaNelle C. DuRant, Esquire
South Carolina 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 19th day of August, 2013.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727