

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Union County  
Honorable John C. Hayes, III, Circuit Court Judge  
Appellate Case No. 2012-212240

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THE STATE,

Respondent,

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SEP 04 2013

vs.

DOUGLAS BRET BISHOP,

SC Court of Appeals

Appellant.

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

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Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on September 4, 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 State moves for a third extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks, the undersigned has participated in oral argument at this Court in State v. Justin Ryan Hillerby, State

v. James Allen Moore, and State v. Willie Poole, has submitted Briefs of Respondent to the Supreme Court in State v. Sams and State v. Butler, has submitted Initial Briefs of Respondent to this Court in State v. Oates, State v. Mitchell, State v. Artis, State v. Fishburne, State v. Thompson, State v. Laureano, and State v. Peters, has filed a Petition for Rehearing in the Supreme Court in State v. Avery, has filed a Petition for a Writ of Certiorari in the Supreme Court in State v. Martin, and has filed a Return to Petition for a Writ of Certiorari in the Supreme Court in State v. Aiken and State v. Campbell.

### III.

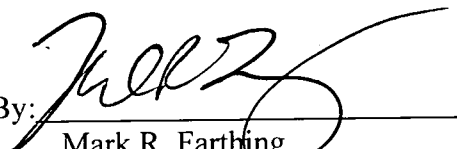
This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared. The Brief in the above case has required significant research because the case involves a significant jury charge issue on appeal. The undersigned is currently working on the Brief in this case and hopes to have it completed in a timely manner. I would therefore request an extension of time within which to serve and file the Brief.

**WHEREFORE**, Respondent prays that the Court 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.

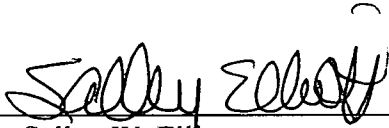
Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Assistant Attorney General

By:   
Mark R. Farthing

By:



Salley W. Elliott

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

September 4, 2013

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THE STATE,

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**PROOF OF SERVICE**

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I, Ellen R. DuBois, certify that I have served the within Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Susan B. Hackett, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

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SC Court of Appeals

I further certify that all parties required by Rule to be served have been served.  
This 4th day of September, 2013.

Ellen R. DuBois  
ELLEN R. DuBOIS  
Legal Assistant

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



ALAN WILSON  
ATTORNEY GENERAL

September 4, 2013

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: State v. Douglas Bret Bishop – Appellate Case No. 2012-212240

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

Mark R. Farthing  
Assistant Attorney General  
Bar Number 76901

MRF/  
Enclosures

cc: Susan B. Hackett, Esquire  
Victim Services

**RECEIVED**

SEP 04 2013

**SC Court of Appeals**