

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Charleston County
Honorable R. Markley Dennis, Jr., Circuit Court Judge
Appellate Case No. 2012-206607

RECEIVED

SEP 25 2013

S.C. Supreme Court

THE STATE,

Petitioner,

vs.

WILLIAM COAXUM, SR.,

Respondent.

**MOTION FOR SECOND EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE
BRIEF OF PETITIONER**

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

I.

The Brief of Petitioner is due to be served and filed on September 25, 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 second extension in the above-referenced criminal 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. 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, State v. Willie Poole, State v. Michael J. Hilton, and State v. Kendrick D. Littlejohn, has submitted a Brief 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, State v. Peters, and State v. Harrelson, 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, State v. Campbell, and State v. Martin.

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 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, Petitioner prays that the Court extend the deadline for the service and filing of the Brief of Petitioner 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

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September 25, 2013

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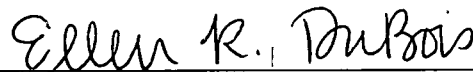
Respondent.

PROOF OF SERVICE

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

David Alexander, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.
This 25th day of September, 2013.


ELLEN R. DuBOIS
Legal Assistant

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