

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to the Court of Appeals  
Appeal From Dillon County  
Hon. Paul M. Burch, Circuit Court Judge  
Appellate Case Tracking No. 2012-211266  
\_\_\_\_\_

RECEIVED

OCT 21 2013

S.C. Supreme Court

The State,

Petitioner,

v.

Bentley Collins,

Respondent.

\_\_\_\_\_  
Opinion No. 4941 (S.C. Ct. App. filed February 15, 2012)  
\_\_\_\_\_

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

\_\_\_\_\_

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

I.

The Brief of Petitioner and additional Appendices are due to be served and filed on October 21, 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 Petitioner moves for a second extension in the above referenced appeal. Due to work required in other cases pending before the Court of

Appeals and this Court, I am unable to complete this Brief on time. In the past few weeks, the undersigned has submitted Initial Briefs in State v. Perry, State v. Vice, and State v. Tyner. Further, the undersigned filed a Return to Petition for Certiorari in State v. Dumas and State v. Blakely, and a Petition for Writ of Certiorari in State v. Henkel. In addition, the undersigned has prepared for and participated in several oral arguments including State v. Palmer, State v. Gorman, and State v. Spriggs in the Court of Appeals and State v. Watkins in this Court.

III.

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

WHEREFORE, Petitioner 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 Brief of Petitioner and Appendices 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

BY: 

William M. Blich Jr.  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

October 21, 2013

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to the Court of Appeals  
Appeal From Dillon County  
Hon. Paul M. Burch, Circuit Court Judge  
Appellate Case Tracking No. 2012-211266

The State,

Petitioner,

v.

Bentley Collins,

Respondent.


\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

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

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

I further certify that all parties required by Rule to be served have been served.

This 21<sup>st</sup> day of October, 2013.



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



ALAN WILSON  
ATTORNEY GENERAL

RECEIVED

OCT 21 2013

October 21, 2013

S.C. Supreme Court

The Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: State v. Bentley Collins  
Appellate Case Tracking No. 2012-211266

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of a Motion For Second Extension Of Time Within Which To Serve And File Brief of Petitioner and Appendices along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.  
Assistant Attorney General

Enclosures

cc: Susan Hackett, Esquire  
Victim Services