

**STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

Appeal from Jasper County
Carmen T. Mullen, Circuit Court Judge

RECEIVED

JUL 21 2014

S.C. Supreme Court

THE STATE,

Respondent,

v.

ANTONIO SCOTT,

Petitioner.

Appellate Case No. 2014-001124

**MOTION TO ENLARGE TIME FOR
FILING RETURN TO PETITION
FOR WRIT OF CERTIORARI**

The Respondent, above-named, by and through the undersigned attorneys, would respectfully move this Court for a ten (10) day extension of time within which to file its Return from July 21, 2014 up to and including July 31, 2014. Counsel for Respondent has not been able to complete the Return within the allotted time for the following reason:

- (1) Respondent's attorney was on scheduled and approved family vacation beginning Friday, July 11, 2013 and all of last week and out of the office. Respondent's attorney was informed on Thursday of last week, while on vacation, the Court had issued its Order holding no further extensions would be granted in Return's to Petition's for Certiorari to the Court of Appeals. Respondent's attorney did not know this when he

left the office previously on Thursday, July 10, 2014. If Respondent's attorney had known this he would have completed the Return to Petition for Certiorari prior to leaving to go on scheduled family vacation;

- (2) Respondent is completing today a Brief of Respondent in State v. Kareem Harry (Murder) which will be filed today;
- (3) Respondent was also working on a Brief of Respondent in State v. Christopher Heller before leaving on vacation to comply with this Court's earlier Order stating no further extensions would be granted on Briefs from the Court of Appeals. That brief will be filed on Wednesday of this week in compliance with the Order Respondent's attorney *was aware of* before leaving for scheduled vacation.
- (4) Respondent has been involved in numerous other matters including federal habeas returns and capital PCR matters;

For extraordinary circumstances shown, Respondent requests a ten (10) day extension to comply with the new Order, of which Respondent's attorney was not aware of until Thursday of last week while away on vacation, to file the Return to Petition for Writ of Certiorari in this matter.

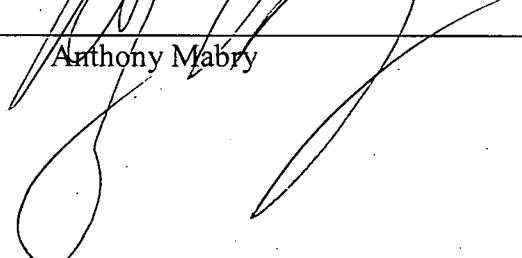
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY
Assistant Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-6305

By: 
Anthony Mabry

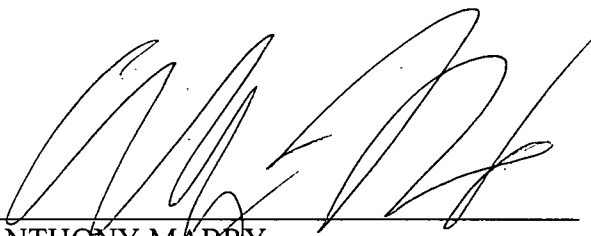
July 21, 2014

CERTIFICATE OF SERVICE

I, **Anthony Mabry**, hereby certify that I have served the Motion to Enlarge Time for Filing Return to Petition for Writ of Certiorari in the foregoing action by depositing copy in the Inter-Agency Mail to:

Benjamin John Tripp
Appellate Defender
Division of Appellate Defense
1330 Lady, Street, Ste. 401
Columbia, SC 29201

This 21st day of July, 2014.



ANTHONY MABRY
Assistant Attorney General



ALAN WILSON
ATTORNEY GENERAL

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JUL 21 2014

July 21, 2014

S.C. Supreme Court

Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211

Re: State v. Antonio Scott
Appellate Case No. 2014-001124

Dear Mr. Shearouse:

Enclosed please find a Motion to Enlarge Time for Return to Petition for Writ of Certiorari in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Lonetta B. Brawley
Legal Assistant to Anthony Mabry
Assistant Attorney General

/lbb
Enclosure

cc: Benjamin John Tripp, Esquire