



ALAN WILSON
ATTORNEY GENERAL

February 29, 2012

RECEIVED

MAR 02 2012

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

S.C. SUPREME COURT

pm 2-29-12

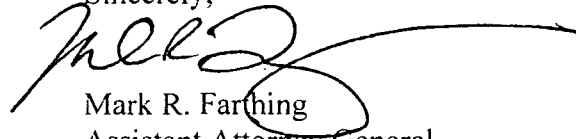
RE: State v. Beulah Ruth Butler

Dear Mr. Dudek:

I am enclosing two (2) copies of the Return to Petition for Writ of Certiorari, along with proof of service, in the above-referenced case.

Please note the Record on Appeal contains personal data identifiers in the form of a witness' home address on the page 22; a minor's full last name in the index and on pages 430, 617, 618, and 619; a phone number on page 11; and Petitioner's home address on pages 40, 41, 52, 53, 75, 89, 90, 96, 101, 127, 164, 169, 171, 173, 185, 241, 252, 255, 258, 260, 267, 350, 353, 451, 453, 464, 473, 474, 482, 486, 502, 516, 538, 552, 631, and 713. Pursuant to the Order of the South Carolina Supreme Court, dated August 13, 2007, entitled RE: Interim Guidance Regarding Personal Data Identifiers and Other Sensitive Information in Appellate Court Filings, these references, along with any others, must be redacted from the Record on Appeal in a manner consistent with the order.

Sincerely,



Mark R. Farthing
Assistant Attorney General

MRF/erd
Enclosures

cc: Honorable Daniel E. Shearouse (original and six enclosed)
Victim Services

The Supreme Court of South Carolina

The State,

Respondent,

v.

Beulah Butler,

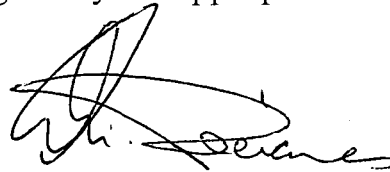
Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-03333
2007-GS-32-03334

ORDER

Respondent seeks a fifth extension to serve and file the Return to the Petition for Writ of Certiorari, and asserts that extraordinary circumstances justify this extension. The opposing party consents to the extension. The request for an extension is granted until February 29, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.



J.

FOR THE COURT

Columbia, South Carolina

January 31, 2012

cc: Chief Appellate Defender Robert M. Dudek
Assistant Attorney General Mark Farthing
Donald W. Myers, Esquire

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

RECEIVED

JAN 30 2012

S.C. Supreme Court

THE STATE,

Respondent,

vs.

BEULAH RUTH BUTLER,

Petitioner.

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

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

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on January 30, 2012.

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 fifth 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 Return on time. In the past few weeks, the undersigned has participated in oral argument at the Court of Appeals in State v. Richard M. Kough, State v. Sonny Stonewall Hawkins, State v. Gerald Fripp, State v. John Porter Johnson, State v. Andra Byron Jamison, State v. James Robert Nash, and State v. Daniel J. Jenkins, has participated in oral argument at this Court in State v. Charles Q. Jackson and State v. Kevin Cornelius Odems, has submitted Initial Briefs to the Court of Appeals in State v. Simuel, State v. Rolen, State v. Simmons, State v. Green, State v. Jolly, State v. White, State v. Meggett, State v. Wesley, State v. Foster, State v. Price, State v. Berry, State v. Baylock, State v. Rice, State v. Maxwell, State v. Gallishaw, and State v. Jackson, has filed a Petition for Rehearing in the Court of Appeals in State v. Coaxum and State v. Morris, has filed a Petition for Rehearing in this Court in State v. Odems, has filed a Petition for Writ of Certiorari with this Court in State v. Hill, and has filed a Return to Petition for Writ of Certiorari in this Court in State v. Williams, State v. Bennett, State v. Avery, State v. Sams, and State v. Romero.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The Return in the above case has required significant research because Petitioner presents three issues on appeal. The undersigned is currently working on the Return 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 Return to Petition for Writ of Certiorari.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to 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.

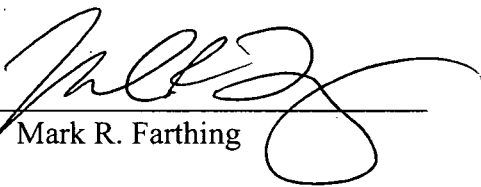
Respectfully submitted,


ALAN WILSON
Attorney General

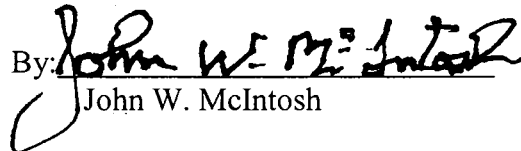
JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

MARK R. FARTHING
Assistant Attorney General

By: 
Mark R. Farthing

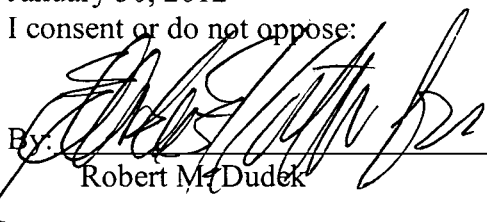
By: 
Salley W. Elliott

By: 
John W. McIntosh

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

January 30, 2012

I consent or do not oppose:

By: 
Robert M. Dudek

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

THE STATE,

Respondent,

vs.

BEULAH RUTH BUTLER,


Petitioner.

PROOF OF SERVICE

I, Angela S. Bennett, certify that I have served the within Motion for Fifth Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari on Petitioner by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Esq.
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 30th day of January, 2012.


ANGELA S. BENNETT
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

January 30, 2012

RECEIVED

JAN 30 2012

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. Beulah Ruth Butler

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion for Fifth Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

Mark R. Farthing
Assistant Attorney General

MRF/erd
Enclosures

cc: Robert M. Dudek, Esq.
Victim Services

The Supreme Court of South Carolina

The State,

Respondent,

v.

Beulah Butler,

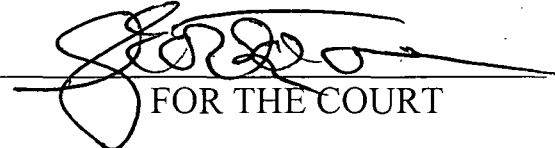
Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-3333
2007-GS-32-3334

ORDER

Respondent seeks a fourth extension to serve and file the Return to Petition for Writ of Certiorari, and asserts that extraordinary circumstances justify this extension. The opposing party consents to the extension. The request for an extension is granted until January 30, 2012. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.


C.J.
FOR THE COURT

Columbia, South Carolina

January 5, 2012

cc: Chief Appellate Defender Robert M. Dudek
Attorney General Alan Wilson
Chief Deputy Attorney General John W. McIntosh
Assistant Deputy Attorney General Salley W. Elliott
Assistant Attorney General Mark Farthing
Donald V. Myers, Esquire

ORIGINAL



Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

January 4, 2012

RECEIVED

JAN - 4 2012

S.C. Supreme Court

The Honorable Daniel E. Shearouse
South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211
Facsimile: 803-734-1499

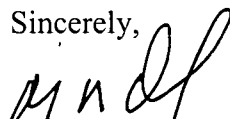
Re: State v. Beulah Butler

Dear Mr. Shearouse

I do not object to a fourth extension on a return to the petition for writ of certiorari to the Court of Appeals in this case for Mark R. Farthing, Esquire.

Should you have any questions, please do not hesitate to contact me.

Sincerely,


Robert M. Dudek
Chief Appellate Defender

RMD:cms

cc: Mark R. Farthing, Esquire

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

RECEIVED

DEC 30 2011

S.C. SUPREME COURT

THE STATE,

Respondent,

4

vs.

BEULAH RUTH BUTLER,

Petitioner.

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

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

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on December 30, 2011.

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 fourth 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 Return on time. In the past few weeks, the undersigned has participated in oral argument at the Court of Appeals in State v. Richard M. Kough, State v. Sonny Stonewall Hawkins, State v. Gerald Fripp, State v. John Porter Johnson, State v. Andra Byron Jamison, State v. James Robert Nash, and State v. Daniel J. Jenkins, has participated in oral argument at this Court in State v. Charles Q. Jackson and State v. Kevin Cornelius Odems, has submitted Initial Briefs to the Court of Appeals in State v. Simuel, State v. Rolen, State v. Simmons, State v. Green, State v. Jolly, State v. White, State v. Meggett, State v. Wesley, State v. Foster, State v. Price, and State v. Berry, has filed a Petition for Rehearing in the Court of Appeals in State v. Hill, State v. Coaxum, and State v. Morris, has filed a Brief of Respondent in this Court in State v. Odems, and has filed a Return to Petition for Certiorari in this Court in State v. Williams, State v. Bennett, State v. Avery, and State v. Romero.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The Return in the above case has required significant research because Petitioner presents three issues on appeal. The undersigned is currently working on the Return 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 Return to Petition for Writ of Certiorari.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to 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,

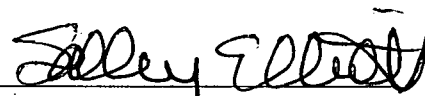
ALAN WILSON
Attorney General

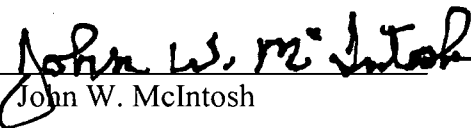
JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

MARK R. FARTHING
Assistant Attorney General

By: 
Mark R. Farthing

By: 
Salley W. Elliott

By: 
John W. McIntosh

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

December 30, 2011

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

THE STATE,

Respondent,

vs.

BEULAH RUTH BUTLER,

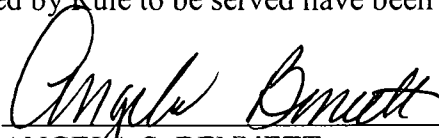
Petitioner.

PROOF OF SERVICE

I, Angela S. Bennett, certify that I have served the within Motion for Fourth Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari on Petitioner by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Esq.
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 30th day of December, 2011.


ANGELA S. BENNETT
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

December 30, 2011

RECEIVED

DEC 30 2011

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. Beulah Ruth Butler

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion for Fourth Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

Mark R. Farthing
Assistant Attorney General

MRF/erd
Enclosures

cc: Robert M. Dudek, Esq.
Victim Services

The Supreme Court of South Carolina

The State,

Respondent,

v.

Beulah Butler,

Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-3333
2007-GS-32-3334


ORDER

For good cause shown, the request for an extension to serve and file the Return to Petition for Writ of Certiorari is granted and extended until December 30, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



Clerk

Columbia, South Carolina

December 1, 2011

cc: Chief Appellate Defender Robert M. Dudek
Assistant Attorney General Mark Farthing
Donald V. Myers, Esquire



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudok, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

December 1, 2011

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

By facsimile: 803-734-1499

Re: State v. Beulah Butler

Dear Mr. Shearouse

I do not object to a third extension on a return in this case for Mark Farthing, Esquire. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Robert M. Dudok
Chief Appellate Defender

RMD:cms

cc: Mark Farthing, Esquire

RECEIVED

DEC 1 2011

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

3
RECEIVED

NOV 30 2011

THE STATE,

Respondent,

vs.

S.C. Supreme Court

BEULAH RUTH BUTLER,

Petitioner.

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

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

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on November 30, 2011.

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 third 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 Return on time. In the past few weeks, the undersigned has participated in oral argument at the Court of Appeals in State v. William Coaxum, Sr., State v. Richard M. Kough, State v. Sonny Stonewall Hawkins, State v. Gerald Fripp, State v. John Porter Johnson, and State v. Andra Byron Jamison, has participated in oral argument at this Court in State v. Charles Q. Jackson, has submitted Initial Briefs to the Court of Appeals in State v. Simuel, State v. Rolen, State v. Simmons, State v. Green, State v. Jolly, State v. White, State v. Meggett, State v. Wesley, State v. Foster, and State v. Price, has filed a Petition for Rehearing in the Court of Appeals in State v. Hill and State v. Coaxum, has filed a Brief of Respondent in this Court in State v. Odems, and has filed a Return to Petition for Certiorari in this Court in State v. Williams, State v. Bennett, and State v. Avery. Additionally, the undersigned participated in oral argument at this Court today in State v. Kevin Cornelius Odems.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The Return in the above case has required significant research because Petitioner presents three issues on appeal. The undersigned is currently working on the Return 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 Return to Petition for Writ of Certiorari.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to 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,

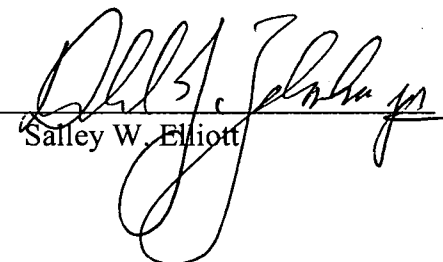
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy 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

November 30, 2011

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

THE STATE,

Respondent,

vs.

BEULAH RUTH BUTLER,

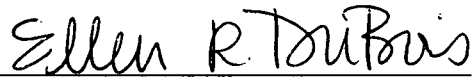
Petitioner.

PROOF OF SERVICE

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

Robert M. Dudek, Esq.
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 30th day of November, 2011.


ELLEN R. DuBOIS
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

November 30, 2011

RECEIVED

NOV 30 2011

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. Beulah Ruth Butler

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion for Third Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

Mark R. Farthing
Assistant Attorney General

MRF/erd
Enclosures

cc: Robert M. Dudek, Esq.
Victim Services

The Supreme Court of South Carolina

The State,

Respondent,

v.

Beulah Butler,

Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-3333
2007-GS-32-3334

ORDER

For good cause shown, the request for an extension to serve and file the Return to the Petition for Writ of Certiorari is granted and extended until November 30, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY 

Clerk

Columbia, South Carolina

November 1, 2011

cc: Chief Appellate Defender Robert M. Dudek
Attorney General Alan Wilson
Chief Deputy Attorney General John W. McIntosh
Assistant Deputy Attorney General Salley W. Elliott
Assistant Attorney General Mark Farthing
Donald V. Myers, Esquire

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

RECEIVED

OCT 31 2011

THE STATE,

S.C. Supreme Court

Respondent,

vs.

BEULAH RUTH BUTLER,

Petitioner.

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

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

I.

The Return to Petition for Writ of Certiorari is due to be served and filed on October 31, 2011.

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 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 Return on time. In the past few weeks, the undersigned has participated in oral argument at the Court of Appeals in State v. William Coaxum, Sr., and State v. Richard M. Kough, has submitted Initial Briefs to the Court of Appeals in State v. Adams, State v. Hardy, State v. McClurkin, State v. Woods, State v. Ontiverous, State v. Simuel, State v. Rolen, State v. Simmons, State v. Green, State v. Jolly, State v. White, State v. Meggett, State v. Wesley, and State v. Foster, has filed a Petition for Rehearing in the Court of Appeals in State v. Hill, had filed a Brief of Respondent in this Court in State v. Odems, and has filed a Return to Petition for Certiorari in this Court in State v. Williams, State v. Bennett, and State v. Avery. Additionally, the undersigned is participating in oral argument today in the Court of Appeals in State v. Sonny Stonewall Hawkins, tomorrow in the Court of Appeals in State v. Gerald Fripp, the following day in the Supreme Court in State v. Charles Q. Jackson, and the following day in the Court of Appeals in State v. John Porter Johnson.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The Return in the above case has required significant research because Petitioner presents three issues on appeal. The undersigned is currently working on the Return 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 Return to Petition for Writ of Certiorari.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to 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.

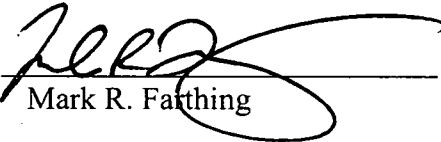
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

MARK R. FARTHING
Assistant Attorney General

By: 
Mark R. Farthing

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

October 31, 2011

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal from Lexington County
Honorable R. Knox McMahon, Circuit Court Judge

THE STATE,

Respondent,

vs.

BEULAH RUTH BUTLER,

Petitioner.

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 Return to Petition for Writ of Certiorari on Petitioner by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Esq.
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 31st day of October, 2011.



ELLEN R. DuBOIS
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

October 31, 2011

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OCT 31 2011

S.C. Supreme Court

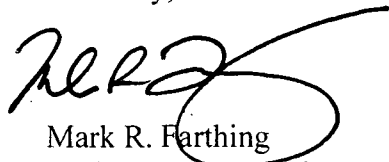
The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: State v. Beulah Ruth Butler

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of the Motion for Second Extension of Time Within Which to Serve and File Return to Petition for Writ of Certiorari, along with proof of service, for filing in the above-referenced appeal.

Sincerely,


Mark R. Farthing
Assistant Attorney General

MRF/erd
Enclosures

cc: Robert M. Dudek, Esq.
Victim Services

The Supreme Court of South Carolina

The State, Respondent,
v.
Beulah Butler, Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-3333
2007-GS-32-3334

ORDER

The request for an extension to serve and file Return to Petition for Writ of Certiorari is granted and extended until October 31, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY 

Clerk

Columbia, South Carolina

October 3, 2011

cc: Chief Appellate Defender Robert M. Dudek
Attorney General Alan Wilson
Chief Deputy Attorney General John W. McIntosh
Assistant Deputy Attorney General Salley W. Elliott
Senior Assistant Attorney General Norman Mark Rapoport
Donald V. Myers, Esquire



ALAN WILSON
ATTORNEY GENERAL

September 30, 2011

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

1
RECEIVED

SEP 30 2011

RE: State v. Beulah Ruth Butler

S.C. Supreme Court

Dear Mr. Shearouse:

The Return to Petition for Writ of Certiorari in the above-referenced criminal appeal is due to be served and filed on September 30, 2011. However, due to a heavy workload, I am requesting a 30-day extension to file this return. This is the first extension request at this stage in the process, and it is not intended for the purpose of delay.

I appreciate your consideration of this request and ask that you hold the filling time in abeyance during the time in which this request is pending.

By copy of this letter, I am informing counsel for Petitioner of this request.

Sincerely,

Mark R. Farthing
Assistant Attorney General

MRF/erd

cc: Robert M. Dudek, Esq.
Victim Services



The Supreme Court of South Carolina

DANIEL E. SHEAROUSE
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

September 1, 2011

Chief Appellate Defender Robert M. Dudek
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Butler, Beulah
Case Tracking No. 2011-194608

Dear Counsel:

This office has received your Petition for Writ of Certiorari and Appendix in the above matter. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

I do wish to call the attention of the parties to the attached order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Very truly yours,

CLERK

DES/lda

Enclosure

cc: Senior Assistant Attorney General Norman Mark Rapoport
The Honorable Tanya Gee
Donald V. Myers, Esquire

The Supreme Court of South Carolina

The State,

Respondent,

v.

Beulah Butler,

Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-3333
2007-GS-32-3334

ORDER

For good cause shown, the request for an extension to serve and file the Petition for Writ of Certiorari and Appendix is granted and extended until August 31, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY


Chief Deputy Clerk

Columbia, South Carolina

August 2, 2011

cc: Chief Appellate Defender Robert M. Dudek
Assistant Attorney General Norman Mark Rapoport
The Honorable Tanya Gee



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

 ORIGINAL

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

August 1, 2011

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

RECEIVED

AUG - 1 2011

S.C. Supreme Court

Re: The State v. Beulah Butler
Lexington County
R. Knox McMahan, Judge
Trial Date: February 25 – March 3, 2008
07-GS-32-3333, 3334.

Dear Mr. Shearouse:

The petition for writ of certiorari and appendix are due to be served and filed today. However, due to my workload, I am requesting a final thirty day extension in which to serve and file these materials.

By copy of this letter, I am informing Norman Mark Rapoport, Esquire, of the Attorney General's Office, of my request.

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD:cms

cc: Court of Appeals
Norman Mark Rapoport, Esquire

The Supreme Court of South Carolina

The State,

Respondent,

v.

Beulah Butler,

Petitioner.

The Honorable R. Knox McMahon
Lexington County
Trial Court Case No. 2007-GS-32-3333
2007-GS-32-3334

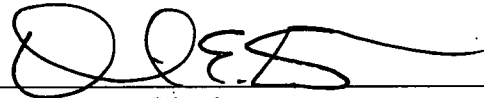
ORDER

The request for an extension to serve and file Petition for Writ of Certiorari and Appendix is granted and extended until August 1, 2011. Pursuant to this Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



Clerk

Columbia, South Carolina

July 1, 2011

cc: Chief Appellate Defender Robert M. Dudek
Assistant Attorney General Norman Mark Rapoport
The Honorable Tanya Gee



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

ORIGINAL

Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

June 30, 2011

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

RECEIVED

JUN 30 2011

S.C. Supreme Court

Re: The State v. Beulah Butler
Lexington County
R. Knox McMahon, Judge *Special Assign*
Trial Date: February 25 – March 3, 2008
07-GS-32-3333, 3334.

Dear Mr. Shearouse:

The petition for writ of certiorari and appendix are due to be served and filed today. However, due to my workload, I am requesting a thirty day extension in which to serve and file these materials.

By copy of this letter, I am informing Norman Mark Rapoport, Esquire, of the Attorney General's Office, of my request.

Sincerely,

Robert M. Dudek
Chief Appellate Defender

RMD:cms

cc: Court of Appeals
Norman Mark Rapoport, Esquire

*2008-83606
3-3-08 - book #'s
2011-UP-127 3-28-11
Judge OK*