

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

MAY 13 2013

On Writ of Certiorari to the Court of Appeals
Appeal from Marlboro County
Honorable Edward B. Cottingham, Circuit Court Judge
Appellate Case No. 2012-213219

S.C. Supreme Court

THE STATE,

Respondent,

vs.

JOHN BERNARD CAMPBELL,

Petitioner.

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

Respondent ("the State"), 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 May 13, 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 Return on time. In the past few weeks, the undersigned has participated in oral argument at this Court in State v. Clarence Logan, Jr. and State v. Paris Genici Avery, has participated in oral argument at the Court of Appeals in State v. Anthony Marquese Martin, State v. Travell Hill, State v. Michael Milledge, and State v. Ronald Lee McCauley, has submitted Initial Briefs of Respondent to the Court of Appeals in State v. Johnson, State v. Wilson, State v. House, and State v. Robinson, and has filed a Return to Petition for Certiorari in this Court in State v. Aikens.

III.

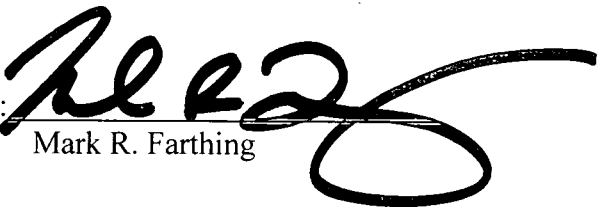
This extension request is not intended for purposes of delay, but rather to ensure that the Return is properly researched and prepared. The Return in the above case has required significant research because Petitioner presents three significant issues on appeal. The undersigned is currently working on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

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

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

May 13, 2013

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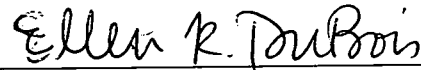
Petitioner.

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:

Kathrine H. Hudgins, 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 13th day of May, 2013.



ELLEN R. DuBOIS
Legal Assistant

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