

Original

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

MORRIS ANTONIO SULLIVAN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2010-151951

PETITION FOR A RECALL OF THE REMITTITUR AND LEAVE
TO FILE OUT OF TIME A 30-DAY EXTENSION REQUEST
TO FILE A PETITION FOR WRIT OF CERTIORARI

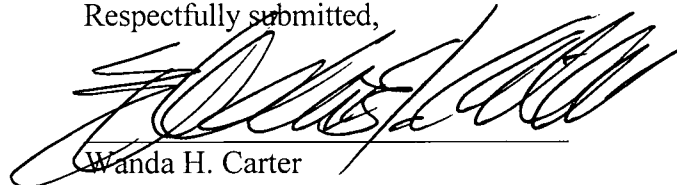
Pursuant to Rule 224 of the South Carolina Appellate Court Rules, the undersigned counsel requests the recall of the remittitur and leave to file out of time a 30-day extension request in which to file a petition for writ of certiorari in the South Carolina Supreme Court in the above titled appeal. In support of this motion, counsel would submit the information below.

- 1.) An order dated December 21, 2012, was issued by the South Carolina Court of Appeals granting briefing of petitioner's PCR petition filed on appeal.
- 2.) Pursuant to an oral argument held on November 5, 2013, an opinion was issued by the South Carolina Court of Appeals on January 29, 2014 denying PCR relief to petitioner.
- 3.) A petition for rehearing was filed on February 18, 2014, but denied by the South Carolina Court of Appeals on March 20, 2014.

4.) An extension in which to file a petition for writ of certiorari in the South Carolina Supreme Court was due to be submitted on April 19, 2014. However, due to administrative inadvertence, a 30-day extension request was not timely filed and the remittitur was issued on May 1, 2014, by the South Carolina Court of Appeals.

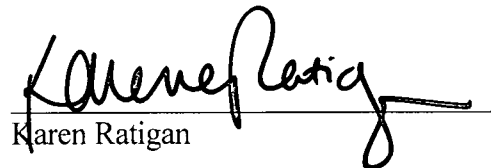
WHEREFORE, the undersigned counsel requests that the Court grant the petition requesting the recall of the remittitur and leave to file out of time a 30-day extension request in which to file a petition for writ of certiorari in the South Carolina Supreme Court in this appeal.

Respectfully submitted,



Wanda H. Carter
Deputy Chief Appellate Defender

I DO NOT OPPOSE:



Karen Ratigan

This 2nd day of May, 2014.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Charles B. Simmons, Jr., Special Circuit Court Judge

THE STATE,

RESPONDENT,

V.

GENE ANTHONY RICKARD,

APPELLANT

CERTIFICATE OF SERVICE

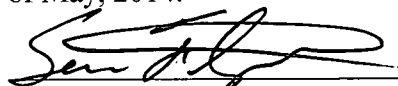
The undersigned attorney hereby certifies that a true copy of the Petition Requesting the Recall of the Remittitur and Leave to file out of time a 30-day extension in the above-entitled case has been served upon Karen R. Ratigan, Esquire, Esquire, this 2nd day of May, 2014.



Wanda H. Carter
Deputy Chief Appellate Defender

ATTORNEY FOR APPELLANT

SWORN TO BEFORE ME this 2nd day
of May, 2014.



(L.S.)
Notary Public for South Carolina
My Commission Expires: October 30, 2022.