

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

**RECEIVED**

JUN - 3 2014

The Honorable Alison Rene Lee, Circuit Court Judge **S.C. Supreme Court**  
Appellate Case No. 2014-001073  
Lower Court Case No. 2012-CP-40-06450

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Andrew Anderson #256352 .....Petitioner,

v.

State of South Carolina ..... Respondent.

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MOTION TO EXTEND TIME TO FILE  
PETITION FOR REHEARING, TO STAY  
ISSUANCE OF REMITTITUR, AND TO BE RELIEVED AS COUNSEL

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The petitioner, Andrew Anderson, moves the court to extend the time to file a petition for rehearing and to stay issuance of a remittitur.

Robert P. Wood, counsel for Mr. Anderson, moves the court to be relieved as counsel.

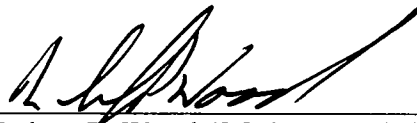
These motions are based on the following:

I was appointed to serve as counsel for Mr. Anderson in connection with his action for post-conviction relief. Based on my investigation of the case and various conferences, and based on my advice, on March 4, 2013, Mr. Anderson asked the court to dismiss his post-conviction relief action. A record was made of the hearing resulting in the dismissal of his action, and on March 7, 2013, the court in fact dismissed the action.

I learned on May 28, 2014, that on May 12, 2014, Mr. Anderson had appealed the dismissal of his case and that this court had dismissed his appeal on the grounds that dismissal orders such as the one he consented to are not appealable.

Today I read his appeal and see where he told the court that I never told him he could appeal the voluntary dismissal of his action. It is true that I never told him he could appeal the voluntary dismissal of his PCR action. However, the position he is taking is at odds with me (he apparently feels I gave him bad legal advice), and I respectfully request that I be relieved as counsel so Mr. Anderson can obtain independent legal advice on whether he may appeal (or legitimately seek the overturning of case law holding that he may not appeal).

On behalf of Mr. Anderson, I request an extension of time for Mr. Anderson to file a petition for rehearing so that he can find new counsel (or have new counsel appointed for him) in that respect. I also ask that the issuance of the remitter be stayed in the meantime as well.



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Attorney for Andrew Anderson

May 30, 2014

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

**RECEIVED**

JUN - 3 2014

The Honorable Alison Rene Lee, Circuit Court Judge  
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**S.C. Supreme Court**

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PROOF OF SERVICE

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I certify that I have served the Motion to Extend Time to File Petition for Rehearing, to Stay Issuance of Remittitur, and to be Relieved as Counsel by depositing a copy of it in the United States Mail, postage prepaid, on May 30, 2014, addressed to:

Andrew Anderson #256352  
Turbeville Correctional Institute  
1578 Clarence Coker Hwy  
Turbeville, SC 29162

Megan E. Harrigan, Esquire  
S.C. Attorney General's Office  
PO Box 11549  
Columbia, SC 29211

  
\_\_\_\_\_  
Robert P. Wood

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May 30, 2014

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

**RECEIVED**  
JUN 03 2014  
S.C. SUPREME COURT

Re: Andrew Anderson #256352 v. State of South Carolina  
Appellate Case No.:2014-001073  
Our file #910026.02008

Dear Mr. Shearouse:

Enclosed please find for filing in your office an original and one copy of a Motion to Extend Time to File Petition for Rehearing, to Stay Issuance of Remittitur, and to be Relieved as Counsel along with a Proof of Service in this matter. Please file the originals and return clocked copies to this office using the envelope provided.

By copy of this letter to all parties, we hereby serve them a copy of the same

Sincerely yours,

A handwritten signature in cursive script that reads "Nancy Thomas". The signature is written in black ink and extends across the line.

Nancy Thomas  
Paralegal to Robert P. Wood

Enc.

cc:

Andrew Anderson #256352  
Turbeville Correctional Institute  
1578 Clarence Coker Hwy  
Turbeville, SC 29162

Megan E. Harrigan, Esquire  
S.C. Attorney General's Office  
PO Box 11549  
Columbia, SC 29211