

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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SEP 29 2014

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Certiorari to Spartanburg County  
Robin B. Stilwell, Circuit Court Judge  
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S.C. Supreme Court

RUSSELL SIMS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000639

\_\_\_\_\_  
**PETITION FOR EXTENSION TO FILE  
PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX**  
\_\_\_\_\_

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed a petition for re-hearing in a capital case, Richard Moore v. State on September 26, 2014. On September 22-24, 2014, counsel attended the Public

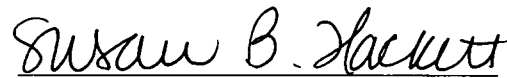
Defender Conference in Myrtle Beach, South Carolina. Counsel filed the petition for writ of certiorari in the case of State v. Clarence Williams Jenkins in this Court on September 24, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Rose in the Court of Appeals on September 19, 2014. Counsel filed the brief of petitioner in the case of Jomer Hill v. State in the Court of Appeals on September 17, 2014. Counsel filed the return to motion to dismiss in the case of State v. Kevin L. Howard in the Court of Appeals on September 15, 2014. Counsel argued the case of State v. Ralph B. Hayes in the Court of Appeals on September 11, 2014. Counsel argued the case of State v. Matthew Fullbright in the Court of Appeals on September 10, 2014. Counsel argued in the case of State v. Alexander L. Hunsberger in the Court of Appeals on September 9, 2014. Counsel argued in the case of Chico Bell v. State in the Court of Appeals on September 8, 2014. Counsel filed the petition for rehearing in the case of State v. Bentley Collins in this Court on September 4, 2014. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Alvin D. Arnold in the Court of Appeals on September 2, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Albert Santanio Kelly v. State in this Court on August 29, 2014. Counsel participated in a reconstruction hearing on August 28, 2014 before the Honorable L. Casey Manning in the case of State v. Michael Hockaday. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Simmons, Jr. in the Court of Appeals on August 20, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fred R. Rutland v. State in this Court on August 18, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Walter M. Bash

in the Court of Appeals on August 8, 2014. Counsel filed the Return to petition for writ of certiorari to the Court of Appeals in the case of State v. Julia Gorman in this Court on August 6, 2014. Counsel filed the brief of petitioner in the case of Edward Andrell Whitner v. State in the Court of Appeals on August 4, 2014. Counsel filed the Anders brief of Appellant and designation of matter along with the Record on Appeal in the case of State v. Dayton Frinks in the Court of Appeals on July 29, 2014.

3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Susan B. Hackett  
Appellate Defender

September 29, 2014

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Robin B. Stilwell, Circuit Court Judge

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RUSSELL SIMS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,


RESPONDENT

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CERTIFICATE OF SERVICE

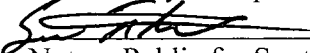
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I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Suzanne H. White, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 29<sup>th</sup> day of September, 2014.

  
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Susan B. Hackett  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 29<sup>th</sup> day of September, 2014.

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