

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_

Certiorari to Spartanburg County

Robin B. Stilwell, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

OCT 29 2014

**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 **final** thirty-day extension, until **November 28, 2014** 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 two prior orders of this Court.
2. Counsel filed the brief of petitioner in the case of The State v. Julia Gorman with this Court on October 24, 2014. Counsel filed the initial brief of appellant

and designation of matter in the case of State v. Robert Odell Brown in the Court of Appeals on October 16, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Delonte Carroll v. State in this Court on October 14, 2014. Counsel filed the brief of petitioner in the case of Anthony Sanders v. State in this Court on October 13, 2014. Counsel filed the brief of petitioner in the case of Eunice McCall v. State in this Court on October 13, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael E. Hyatt in the Court of Appeals on October 10, 2014. Counsel filed the petition for rehearing in the case of State v. Desmond Sams in this Court on October 9, 2014. Counsel argued the case of State v. Marty Baggett in the Court of Appeals on October 6, 2014. Counsel filed the brief of petitioner in the case of Michael D. Hall v. State in this Court on October 6, 2014. Counsel filed the Anders brief of Appellant and designation of matter with the Record on Appeal in the case of State v. Courtney Michelle Woodard in the Court of Appeals on October 6, 2014. Counsel filed the petition for writ of certiorari in the case of Bernard O. Gilliard v. State in this Court on September 30, 2014. Counsel filed the petition for writ of certiorari in the case of State v. Douglas Bret Bishop in this Court on September 30, 2014. 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 this Court 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.

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

4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final** thirty-day extension, until **November 28, 2014** 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,

Lara M. Caudy for  
Susan B. Hackett  
Appellate Defender

RM  
Robert M. Dudek  
Chief Appellate Defender

October 29, 2014

I DO NOT OPPOSE:  
Suzanne H. White  
Suzanne H. White