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THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

S.C. SUPREME COURT

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2014-CP-40-05384

State of South Carolina

Respondent,

v.

Willie Ritter, #337044,

Appellant.

MOTION FOR EXTENSION OF TIME TO FILE AN APPENDIX and
PETITION FOR WRIT OF CERTIORARI

YOU WILL PLEASE TAKE NOTICE that William B. von Herrmann, the attorney of record for the Appellant, hereby moves the Court for an Order permitting additional time for the Appellant to file the Appendix and Petition for Writ of Certiorari in this matter. This Motion is based upon the following facts:

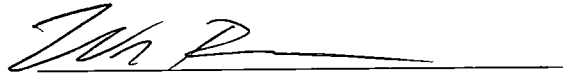
1. William B. von Herrmann was hired by the Appellant to represent him regarding his Post Conviction Relief hearing which was held in Richland County on July 15, 2015;
2. Attorney von Herrmann met with the Appellant after receiving the Order from Judge G. Thomas Cooper, Jr. denying the PCR request and informed Appellant Ritter of the Judge's decision. It was decided that Attorney von Herrmann would file the Notice of Appeal on behalf of the Appellant in order to preserve his time for the appeal, but he may or may not represent Mr. Ritter throughout the appeal process;
3. The Notice of Appeal was sent to the Courts and also copied to Appellant Ritter and the S.C. Commission on Indigent Defense on

November 24, 2015 and clocked with the S.C. Supreme Court on
November 25, 2015 (copies of Notice and letters attached as Exhibit A);

4. Attorney von Herrmann received the Affidavit of Indigency from SCCID (S.C. Commission on Indigent Defense) on December 7, 2015 and forwarded the same to Appellant Ritter (copy of letter to Appellant Ritter attached as Exhibit B);
5. Appellant Ritter was not approved for representation by the SCCID and Attorney von Herrmann was notified of the same on or about 4 January 2016 via email from Paula Murdoch with the SCCID office (copy of email attached as Exhibit C);
6. To date, Attorney von Herrmann has not been hired to represent Mr. Ritter on the PCR appeal, no Retainer Agreement has been signed and therefore we request additional time for the Appellant to seek private counsel for representation regarding this matter.

For the foregoing reasons, William B. von Herrmann, attorney of record for Appellant Willie Ritter, hereby moves the Court for an extension of time for the Appellant to secure representation and file the appropriate documents regarding this appeal on his behalf.

THE VON HERRMANN LAW FIRM



William B. von Herrmann
216 Elm Street, The Kimber Building
Conway, South Carolina 29526
(843)-488-1030
Attorney for Appellant

January 25, 2016

Other Counsel of Record:
J. Clayton Mitchell, Esquire
S.C. Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211
Attorney for Respondent
(803) 734-3737

"EXHIBIT A"
MOTION FOR EXTENSION OF TIME
STATE V. RITTER, 2014-CP-40-05384

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
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State of South Carolina

Respondent,

S.C. SUPREME COURT

v.


Willie Ritter, #337044,

Appellant.

NOTICE OF APPEAL

Willie Ritter appeals the Order of Dismissal of the Honorable G. Thomas Cooper, Jr. dated October 27, 2015 denying his Post-Conviction Relief application. Appellant received written notice of entry of this Order on November 9, 2015.

November 24, 2015



William B. von Herrmann
216 Elm Street, The Kimber Building
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(843) 488-1030
Attorney for Appellant

Other Counsel of Record:
J. Clayton Mitchell, Esquire
S.C. Attorney General's Office
Post Office Box 11549
Columbia, South Carolina 29211
Attorney for Respondent
(803) 734-3737

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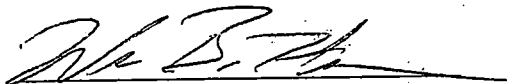
Willie Ritter, #337044,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on November 24, 2015, addressed to its attorney of record, J. Clayton Mitchell, C/O South Carolina Attorney General's Office, Post Office Box 11549, Columbia, SC 29211.

November 24, 2015


William B. von Herrmann
216 Elm Street, The Kimber Building
Conway, South Carolina 29526
(843)488-1030
Attorney for Appellant

2015 NOV 31 AM 2:38
JEANETTE W. NICHOLS
C.C.P. & C.S.
RICHLAND COUNTY
FILED

VH von Herrmann Law Firm

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Hvh@vhlf.myfirm.pro

November 25, 2015

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

RE: State of South Carolina v. Willie Ritter, #337044
Case No. 2014-CP-40-05384

Dear Mr. Shearouse:


Yesterday I mailed the Notice of Appeal and Proof of Service to your office for filing in the above referenced matter.

With respect to ordering the court transcript on this case, I wanted to inform the Court that we already have a copy of the transcript in our possession. I ordered a copy of the transcript from Ms. Keshia Reed back on 17 July 2015, two days after the PCR hearing was held in Richland County. I requested a copy of the transcript at that time in order to have it available for reference when I prepared our proposed Order for Judge Thomas Cooper. I have enclosed a copy of the letter to Ms. Reed for your file.

Based on the fact that we already have the transcript, could you please inform me as to what the time frame will be with respect to filing the appendix and the petition for writ of certiorari in this matter? Will it be due thirty (30) days from today's date? Any guidance you can afford me along these lines will be greatly appreciated.

I look forward to hearing from you at your convenience. Thank you.

Sincerely,



William B. von Herrmann

WBvH/wss

Enclosures

cc: J. Clayton Mitchell, Esquire
S.C. Attorney General's Office

VH von Herrmann Law Firm

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November 25, 2015

S.C. Commission on Indigent Defense
ATTN: APPELLATE DIVISION
Post Office Box 11433
Columbia, SC 29211-1433

RE: State of South Carolina v. Willie Ritter, #337044

To Whom It May Concern:

Please find enclosed a copy of a Notice of Appeal and Proof of Service in the above referenced case which I am presently filing with the Courts. I am sending this information to your office in an abundance of caution since I am not sure, at this point in time, whether or not Mr. Ritter's family will be able to hire me to handle this appeal.

As soon as I have spoken with Mr. Ritter's family regarding their wishes in this matter, I will be back in touch with your office. In the meantime, if you have any questions or concerns, please do not hesitate to contact me.

Sincerely,
VON HERRMANN LAW FIRM



William B. von Herrmann

WBvH/wss

Enclosures

cc: Mr. Willie Ritter
Clerk, South Carolina Supreme Court

VH von Herrmann Law Firm

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"EXHIBIT B"
MOTION FOR EXTENSION OF TIME
STATE V. RITTER, 2014-CP-40-05384

December 7, 2015

Mr. Willie Ritter, SCDC # 00337044
C/O LEE CORRECTIONAL INSTITUTION
990 Wisacky Highway
Bishopville, SC 29010

Re: PCR appeal – State of SC v. Willie Ritter, #337044
Case No: 2014-CP-40-05384

Dear Willie:

As we discussed on my last visit to see you, I have filed your Notice of Intent to appeal the PCR decision made by Judge Cooper in Richland County. I have enclosed copies of all letters and documents sent out on your behalf in this matter thus far.

Since I have not yet heard anything from you or your family members regarding retaining me to represent you on the appeal, I thought it best to also send you a copy of the letter I received today from the SC Commission on Indigent Defense which includes an application that you will need to complete and mail back to them in order for them to represent you if you are not going to hire private counsel. Instructions for completion are included with the copy of their letter and you must make sure you mail it back to them as soon as possible since they need to receive it **prior to December 18, 2015.**

If you have any questions or if I can do anything else for you at this time, please do not hesitate to contact me. Thank you.

Sincerely,

VON HERRMANN LAW FIRM



William B. von Herrmann

WBvH/wss

Enclosures

cc: SC Comm on Indigent Defense

1/25/2016

RE: Willie Ritter v. State of South Carolina

—Original Message—

From: Paula Murdoch <pmurdoch@sccid.sc.gov>

To: bvhlaw@aol.com

Sent: Mon, Jan 4, 2016 12:37 pm

Subject: Willie Ritter v. State of South Carolina

"EXHIBIT C"
MOTION FOR EXTENSION OF TIME
STATE V. RITTER, 2014-CP-40-05384

Good morning, Mr. Herrmann,

We received the affidavit of indigency from Mr. Ritter.

Mr. Dudek, our Chief of Division, has reviewed the affidavit.

He also spoke with Mr. Ritter on the telephone.

Mr. Ritter does not qualify for our services.

Please contact me, if you have any questions.

Paula Murdoch

Administrative Coordinator

Division of Appellate Defense

Phone # 803-734-1330

Fax # 803-737-1397

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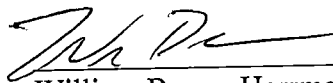
Willie Ritter, #337044,

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to Be Relieved as Counsel and Motion for Extension of Time to File Appendix and Petition for Writ of Certiorari on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on January 25, 2015, addressed to its attorney of record, J. Clayton Mitchell, C/O South Carolina Attorney General's Office, Post Office Box 11549, Columbia, SC 29211.

January 25, 2016



William B. von Herrmann
216 Elm Street, The Kimber Building
Conway, South Carolina 29526
(843)488-1030
Attorney for Appellant