

# VH von Herrmann Law Firm

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**RECEIVED**

FEB 26 2016

**SC SUPREME COURT**

February 25, 2016

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

RE: Willie Ritter, SCDC#00337044 v. State of South Carolina  
Case No. 2014-CP-40-05384

Dear Mr. Shearouse:

Please find enclosed the following documents in the above entitled action:

- (1) The original and six (6) copies of a Second Motion for Extension of Time to File an Appendix and Petition for Writ of Certiorari;
- (2) The original and six (6) copies of Proof of Service on the Respondent.

Please return a clocked copy of the Motion and Proof of Service to me in the self-addressed and stamped envelope enclosed for your convenience.

Under Rule 240(d), SCACR, no filing fee is required for the enclosed Motion. Thank you for your help in this matter.

Sincerely,

William B. von Herrmann



WBVH/wss  
Enclosures

cc: J. Clayton Mitchell, Esquire  
S.C. Attorney General's Office  
Post Office Box 11549  
Columbia, South Carolina 29211  
Attorney for Respondent

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**SC SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2014-CP-40-05384

Willie Ritter  
SCDC #00337044

Petitioner,

v.

State of South Carolina

Respondent.

SECOND 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 Petitioner, hereby moves the Court for an Order permitting additional time for the Petitioner to file the Appendix and Petition for Writ of Certiorari in this matter. This Motion is based upon the following facts:

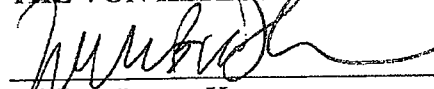
1. William B. von Herrmann was hired by the Petitioner to represent him regarding his Post Conviction Relief hearing which was held in Richland County on July 15, 2015;
2. Attorney von Herrmann met with the Petitioner after receiving the Order from Judge G. Thomas Cooper, Jr. denying the PCR request and informed Petitioner Ritter of the Judge's decision. It was decided that Attorney von Herrmann would file the Notice of Appeal on behalf of the Petitioner 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 Petitioner 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;
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 Petitioner Ritter;
5. Petitioner 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;
6. William B. von Herrmann filed the initial Motion for Extension of Time to File an Appendix and Petition for Writ of Certiorari on behalf of Petitioner Ritter on January 25, 2016. This was done to allow additional time for Petitioner Ritter to retain private counsel to handle his appeal;
7. Based upon Attorney von Herrmann's initial Motion for Extension of Time to File an Appendix and Petition for Writ of Certiorari, the Court graciously granted the same and set a new deadline for the filing to March 2, 2016;
8. Attorney von Herrmann received the properly executed Retainer Agreement as well as the retainer fee in two separate mailings via U.S. Mail on February 22, 2016 regarding retaining his services for this appeal;
9. Due to the fact that Attorney von Herrmann was not formally retained to represent Petitioner Ritter regarding this appeal until February 22, 2016 and due to Attorney von Herrmann's full work calendar throughout the next week, we request some additional time to prepare and file the Appendix and Petition for Writ of Certiorari in this matter on behalf of Petitioner Ritter.

For the foregoing reasons, William B. von Herrmann, attorney for Petitioner Willie Ritter, hereby moves the Court for an extension of time to prepare and file the Appendix and

Petition for Writ of Certiorari regarding this appeal past the current March 2, 2016 date.

**THE VON HERRMANN LAW FIRM**



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

February 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

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

**SC SUPREME COURT**

G. Thomas Cooper, Jr., Circuit Court Judge

Case No. 2014-CP-40-05384

Willie Ritter  
SCDC#00337044

Petitioner,

v.

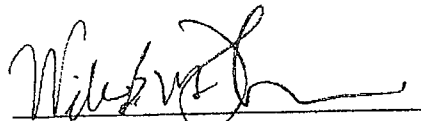
State of South Carolina

Respondent.

PROOF OF SERVICE

I certify that I have served the Second 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 February 25, 2016, addressed to its attorney of record, J. Clayton Mitchell, C/O South Carolina Attorney General's Office, Post Office Box 11549, Columbia, SC 29211.

February 25, 2016



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