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Sep 28 2021

S.C. SUPREME COURT

Supreme Court of South Carolina  
State of South Carolina

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Appellate Case No. 2021-000673

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Bruce Houser,

Petitioner,

v.

State of South Carolina,

Respondent.

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Extension Request

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Now comes the Petitioner in the above captioned Post-Conviction Relief Appeal, acting by and through his undersigned counsel, requesting a fourth, thirty (30) day extension of time in which to file the Petition for Writ of Certiorari in this matter which is due today; September 23, 2021. I am trying very hard to get caught up from when I was out sick multiple times after both my COVID vaccines. I am very thankful to say I am much better and beginning to feel more like my usual self again. Thankfully, this time I can assure the Court that the need for more time on this case is not related to me being sick.

This appeal involves a very complex case history in a murder case where multiple lawyers have made mistakes which I submit have kept this client, who is serving a life sentence, from ever having his full and fair bit at the apple on collateral review. That being said, I have this Petition nearly finished, but I can not complete it until I am able to get clocked copies of several documents and the trial record. I can assure the Court that I have made every effort to get this Appendix and Certiorari Petition completed today. It is now 10:30 PM and I have exhausted my efforts to obtain copies of several missing documents necessary for me to complete my work on this case. I had requested each of these documents from several sources, but problems have come up with several necessary documents. As is always true with the older cases, it is very difficult to get some of the documents needed for a fair review. Among the problems I have run into, is having access to a copy of the trial transcript. I must say that the Office of the Attorney General has been very helpful and cooperative in assisting me with tracking down these missing records. The Attorney General had several things I needed by regrettably they did not have a clocked copy of at least two of them, and, one important Order, although signed by the Judge, does not appear to have *ever been filed with the lower court*. The Office of the Attorney General does not have a clocked copy and Appellate Defense has thus far not found a clocked copy either.

As for the trial record, I thought that would be the least of my problems, but it now appears that the only available copy is going to be right there in the Court's library. Unfortunately, as the Court is no doubt aware, the Court's Librarian is out of the office on medical leave. I am hoping I can make arrangements to get a digital copy soon, but I

am advised that for now, there s no one else that can assist me with procuring a copy of this record. I have not given up on Appellate Defense as a source for this trial record, but as of today they informed me that they would keep looking, but were unlikely to have it.

I have not had the opportunity to speak with opposing counsel in this matter, Samantha Weidauer, but I have been in contact with her administrative assistant a great deal concerning this case, so I am sure Ms. Weidauer is aware that I have been trying to secure these records. I would ask that she notify the Court directly if she has any objections to the request. I no longer have any associates in my practice, and therefore, have no other attorney to sign this request. I can assure the Court that I will do my best to avoid the need for any further extension requests at this stage of this appeal. I kept working on this late tonight in hopes that I could figure out a way to delay getting the trial transcript until later and petition the Court for leave to file a Supplemental Appendix. Unfortunately, I came to the conclusion today that there are a few aspects of my arguments in this matter that simply require reference to that trial transcript. I hope I will be able to get authenticated copies of these documents so that I can hopefully avoid needing the entire thirty (30) extra days requested. The Court's consideration in this matter would be greatly appreciated.

Respectfully Submitted,

*Tara D. Shurling*

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ATTORNEY FOR PETITIONER

This 23<sup>th</sup> day of September, 2021