

CASE NO. \_\_\_\_\_ (CAPITAL CASE)

IN THE SUPREME COURT OF THE UNITED STATES

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CHARLES RUSSELL RHINES,  
*Petitioner,*

v.

STATE OF SOUTH DAKOTA,  
*Respondent.*

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On Petition for a Writ of Certiorari to  
The Supreme Court of the State of South Dakota

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APPENDIX B  
IN SUPPORT OF  
APPLICATION FOR AN EXTENSION OF TIME FOR THE FILING OF  
PETITION FOR WRIT OF CERTIORARI TO THE  
SUPREME COURT OF THE STATE OF SOUTH DAKOTA

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Neil Fulton, Federal Defender  
By: Jason J. Tupman  
Assistant Federal Defender  
Office of the Federal Public Defender  
Districts of South and North Dakota  
200 W. 10th Street, Suite 200  
Sioux Falls, SD 57104  
(605) 330-4489

Claudia Van Wyk\*  
Federal Community Defender Office for  
the Eastern District of Pennsylvania  
Capital Habeas Corpus Unit  
Suite 545-W, The Curtis Center  
Independence Square West  
Philadelphia, PA 19106  
(215) 928-0520  
*Counsel of Record*  
\*Member of the Bar of the Supreme  
Court

*Counsel for Petitioner, Charles Russell  
Rhines*

Dated: March 19, 2018

STATE OF SOUTH DAKOTA  
In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

2nd day of Jan, 2018  
\_\_\_\_\_  
Clerk of Supreme Court  
Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

JAN - 2 2018

*Shirley A. Jameson-Fergel*  
Clerk

\* \* \* \*

STATE OF SOUTH DAKOTA, )  
Plaintiff and Appellee, )  
vs. )  
CHARLES RUSSELL RHINES, )  
Defendant and Appellant. )

ORDER DISMISSING APPEAL

#28460

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Appellee having served and filed a motion to dismiss the appeal taken in the above-entitled matter, and appellant having served and filed a response thereto, and appellee having served and filed a reply in support of motion to dismiss appeal, and the Court having considered the motion, response and reply, now, therefore, it is

ORDERED that the appeal be and it is hereby dismissed.

DATED at Pierre, South Dakota, this 2nd day of January, 2018.

BY THE COURT:

*David Gilbertson*

David Gilbertson, Chief Justice

ATTEST.

*[Signature]*

\_\_\_\_\_  
Clerk of the Supreme Court  
(SEAL)

(Justice Janine M. Kern disqualified.)

PARTICIPATING: Chief Justice David Gilbertson, Justices Steven L. Zinter, Glen A. Severson and Steven R. Jensen.