

In the Supreme Court of the United States

SAMUEL FIELDS,

Petitioner,

v.

LAURA PLAPPERT, Warden,

Respondent.

On Petition for Writ of Certiorari
to the U.S. Court of Appeals for the Sixth Circuit

CAPITAL CASE

**WARDEN LAURA PLAPPERT'S RESPONSE TO MOTION FOR
LEAVE TO FILE OUT-OF-TIME PETITION FOR REHEARING**

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August 11, 2025

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Samuel Fields, a death-row inmate in Kentucky who brutally murdered 84-year old Bess Horton in 1993, has moved to file an untimely petition for rehearing of the Court’s denial of his petition for certiorari. The Court denied his petition on June 10, 2024—over a year ago. *Fields v. Plappert*, 144 S. Ct. 2635 (2024). Fields’s deadline to seek rehearing thus expired on July 5, 2024—also over a year ago. S. Ct. R. 44.2. The basis for Fields’s motion is this Court’s subsequent decision in *Andrew v. White*, 145 S. Ct. 75 (2025) (per curiam), which was issued more than six months ago.

The Court should deny Fields’s motion. To begin with, Fields offers no explanation why he waited more than six months after *Andrew* to file his motion. In addition, the Court’s rules make unmistakably clear that “[t]he time for filing a petition for the rehearing of an order denying a petition for a writ of certiorari . . . *will not be extended*.” S. Ct. R. 44.2 (emphasis added). Fields offers no persuasive reason for ignoring the plain language of Rule 44.2 to reopen this long-running case. In a closed death-penalty matter like this one, Kentucky’s “interests in finality are all but paramount” given that Fields “has already had extensive review of his claims in federal and state courts.” *Calderon v. Thompson*, 523 U.S. 538, 557 (1998). Plus, Fields is currently pursuing another procedural route to raise the same (unconvincing) *Andrew* argument that he wants to pursue in his tendered petition for rehearing. As Fields’s motion notes (at 2 n.1), he is seeking a writ of certiorari from the Sixth Circuit’s denial of his motion to recall the mandate to raise the same *Andrew* issue. *Fields v. Plappert*, No. 25-5286. Fields’s current motion is thus nothing

but an attempted end-run around the high standard that governs recalling the Sixth Circuit's mandate.

In sum, the Commonwealth has vigorously defended Fields's convictions and death sentence for going on three decades. Yet even after Fields has exhausted all his many appeals, he continues to file meritless challenge after meritless challenge. This motion is his latest effort. It should be denied.

Respectfully submitted,

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