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Oct 20 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal From Charleston County  
Court Of General Sessions  
The Honorable Donald B. Hocker, Circuit Court Judge

Appellate Case No: 2022-001729

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THE STATE,

Respondent,

vs.

CHAD LAVICTOR SIMMONS,

Appellant.

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**MOTION FOR EXTENSION OF TIME**

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Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief Of Respondent and Designation Of Matter are due to the Court today, pursuant to two previous extensions granted by the Court.

II.

Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief and designation on time. Since my last request for an extension in this matter, I have completed and filed a petition for rehearing in Robin Gray Reese v. State (2019-000141) on September 21, 2023; an initial brief of appellant and designation in State v. Juan Manuel Ramirez-Sandoval (2023-000590) on September 29, 2023; and final briefs in State v. Darrell D. Wilson, Jr. (2022-000783) and State v. Angel Misael Ibarra (2022-000774) on October 10, 2023, in State v. Quavon Deshay Edmunds on October 11, 2023, and in State v. Donald King

Pollock (2022-000485). On October 3, 2023, I filed an Initial Brief and Designation Of Matter in State v. Malik Deon White (2023-000164). Today I have filed a Return To Petition For Writ Of Certiorari in Geordi Jerrell Heyward v. State (2022-000710) and an Initial Brief and Designation Of Matter in State v. Nevelle Joshua Eberhart (2023-000234). In addition, I represented and argued for the State before this Court in Tyrone Anderson v. State on October 3, 2023. Last week I attended the South Carolina Solicitor's Conference which took place October 8-11, 2023, and was one of the presenters for a session on DUI case law over the past 12 months on Monday, October 9, 2023. I would therefore request an extension of time within which to serve and file the Initial Brief Of Respondent and Designation Of Matter.

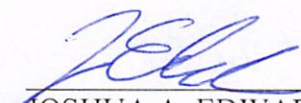
III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief Of Respondent and Designation Of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

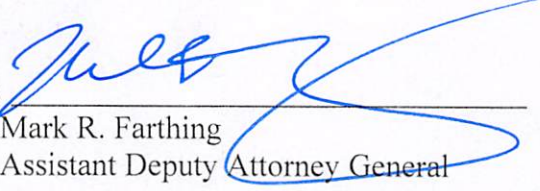
ALAN WILSON  
Attorney General

  
\_\_\_\_\_  
JOSHUA A. EDWARDS  
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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By:   
Mark R. Farthing  
Sr. Assistant Deputy Attorney General

October 20, 2023

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**PROOF OF SERVICE**

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I, Anne Mueller, certify that I have served the Motion For Extension Of Time on Sarah Elizabeth Shipe, Esquire, counsel of record for the Appellant, by electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.  
This 20<sup>th</sup> day of October 2023.



Anne A. Mueller  
Legal Assistant

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**From:** [Anne Mueller](#)  
**To:** [sshipe@sccid.sc.gov](mailto:sshipe@sccid.sc.gov)  
**Cc:** [McInnis, Sara](#); [Josh Edwards](#); [Anne Mueller](#)  
**Bcc:** [Victim Services](#)  
**Subject:** State v. Chad Lavictor Simmons, 2022-001729  
**Date:** Friday, October 20, 2023 3:39:00 PM  
**Attachments:** [image001.png](#)  
[Simmons Chad - 2022-001729 - Motion For Extension Of Time \(03417237xD2C78\).PDF](#)

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Good afternoon, Ms. Shipe.

Attached to this email is the State's Motion For Extension Of Time in the above matter. We will be filing our motion with the Court electronically using the Court's AIS One Drive system.

Sincerely,

Anne Mueller, Legal Assistant for Assistant Attorney General Joshua A. Edwards

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