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Jan 26 2024

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County
Honorable Michael G. Nettles, Circuit Court Judge

ANTONIO O. SIMMONS,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001091

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT OF CERTIORARI AND
ACCOMPANYING APPENDIX

Counsel for Antonio O. Simmons respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and accompanying appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and accompanying appendix are due to be served and filed with the Court today.

2. Counsel for Antonio O. Simmons respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.


3. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Terriel Leshawn Mack with the Supreme Court on January 18, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Laross Graham v. The State with the Supreme Court on January 16, 2024. Counsel filed the brief of petitioner in the case of The State v. Olandio R. Workman with the Supreme Court on January 11, 2024. Counsel filed the brief of petitioner in the case of The State v. Jason Edwin Stoots with the Supreme Court on January 10, 2024. Counsel filed the petition for rehearing in the case of The State v. Rashawn Montez Little with the Court of Appeals on December 27, 2023. Counsel filed the reply brief of petitioner in the case of Jason Allen Larson v. The State with the Court of Appeals on December 14, 2023. Counsel filed the brief of petitioner in the case of Maurio D. Rivers v. The State with the Court of Appeals on December 14, 2023. Counsel had an oral argument in the case of Earnest Maurice Allen v. The State before the Court of Appeals on December 5, 2023. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Mitchell Logan Hinson v. The State with the Supreme Court on December 4, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Joseph Eugene Edmond with the Court of Appeals on November 30, 2023. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Maurice P. Singleton with the Court of Appeals on November 15, 2023.

4. Counsel makes this request in good faith and not for purpose of delay.

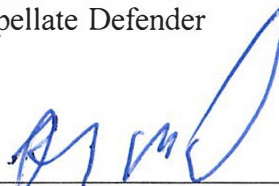
5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty-day general consent granted by email from Deputy Attorney General Donald J. Zelenka dated January 2, 2024 for all Appellate Defense extensions through January 31, 2024.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and accompanying appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 26th day of January, 2024.