

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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

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RECEIVED

Feb 26 2024

S.C. SUPREME COURT

ANTONIO O. SIMMONS,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2023-001091

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MOTION FOR AN EXTENSION TO SERVE AND FILE  
THE PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX

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Counsel for Antonio O. Simmons respectfully requests a **final thirty (30) day extension, until March 27, 2024**, in which to serve and file the petition for writ of certiorari and 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and 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.

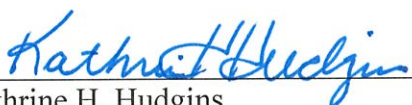
3. Counsel filed the petition for rehearing in the case of The State v. James L. Ginther with the Court of Appeals on February 21, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio Scott v. The State with the Supreme Court on February 21, 2024. Counsel filed the return to petition for writ of certiorari in the case of Justin Young v. The State with the Supreme Court on February 9, 2024. Counsel had an oral argument in the case of Derek Maner v. The State before the Court of Appeals on February 6, 2024. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Rashawn Montez Little v. The State with the Supreme Court on January 26, 2024. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stephano Alston v. The State with the Supreme Court on January 24, 2024. 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.


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 31, 2024 for all Appellate Defense extensions through February 29, 2024.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until March 27, 2024**, in which to serve and file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
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Kathrine H. Hudgins  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

This 26<sup>th</sup> day of February, 2024.