

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

R. Markley Dennis, Jr., Circuit Court Judge

DARREN A. SIMMONS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2013-000204

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

Counsel for Darren A. Simmons respectfully requests a **final thirty (30) day extension, until October 3, 2013**, in which to 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 filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Mr. Darren A. Simmons respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 is filing today the petition for writ of certiorari and accompanying appendix in the case of Justin A. Austin v. State of South Carolina with this Court. Counsel is filing today the petition for writ of certiorari and accompanying appendix in the case of Cedric Kearsse v. State of South Carolina with this Court. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Donna Lynn Phillips with the Court of Appeals on August 23, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Eugene Patterson with this Court on August 23, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Alonza Dennis with this Court on August 21, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George Grant, Jr. v. State of South Carolina with this Court on August 21, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Christopher Taft with the Court of Appeals on August 20, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Frank Grant v. State of South Carolina with this Court on August 16, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Bobby Russell with the Court of Appeals on August 15, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of Braheim J. Hill v. State of South Carolina with this Court on August 7, 2013. Counsel filed the amended initial brief of appellant and designation of matter in the case of In the Interest of Shemar V., a Minor with the Court of Appeals on August 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kelvin Pearson v. State of South Carolina with this Court on August 2, 2013. Counsel filed the initial

brief of appellant and designation of matter in the case of In the Interest of Shemar V., a Minor with the Court of Appeals on July 31, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leon Walker v. State of South Carolina with this Court on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jonathan Lisle v. State of South Carolina with this Court on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Ivan Aiken v. State of South Carolina with this Court on July 26, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy Edward Stahlnecker v. State of South Carolina with this Court on July 26, 2013. Counsel filed the petition for rehearing in the case of The State v. John Peter Barnes with the Court of Appeals on July 25, 2013. Counsel filed the petition for rehearing in the case of The State v. David Jakes with the Court of Appeals on July 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Douglas J. Mayes, with the Court of Appeals on July 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Lee Rose v. State of South Carolina with this Court on July 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Henry Lee Bradley v. State of South Carolina with this Court on July 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Keeon Butler with the Court of Appeals on July 10, 2013. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Stanley Bradley v. State of South Carolina with this Court on July 8, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Roderick Pope, with the Court of Appeals on July 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Dean Johnson v. State of South Carolina with

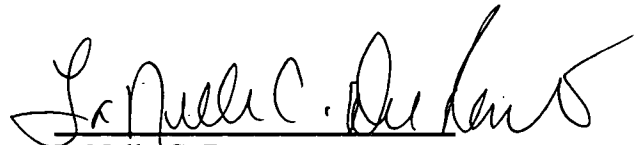
this Court on July 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Dale Shirley v. State of South Carolina with this Court on July 2, 2013.

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

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

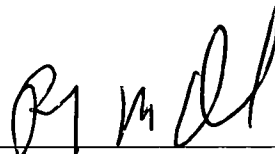
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until October 3, 2013**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

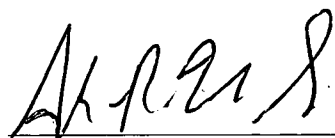
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 3rd day of September, 2013.

I consent:



Ashleigh R. Wilson, Esquire