

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County  
The Honorable Larry B. Hyman, Jr., Circuit Court Judge  
Appellate Case No. 2011-195906

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IN THE MATTER OF THE CARE AND TREATMENT  
OF THOMAS SIMMONS,

Appellant.

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**RESPONDENT'S MOTION FOR SECOND EXTENSION**

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Respondent hereby moves for a second extension of time to file the Initial Brief of Respondent and Designation of Matter. In support of this motion, Respondent submits the following:

1. The Initial Brief of Respondent and Designation of Matter are due August 13, 2012. Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order dated March 18, 2009, Respondent moves for a second extension in the above referenced criminal direct appeal. This extension request is not made for the purposes of delay, but is made due to a heavy caseload.

2. The undersigned consulted with Appellant's counsel, LaNelle Cantey DuRant, Assistant Appellate Defender, and is authorized to advise the Court counsel does not oppose the requested relief.

2. The undersigned assures the Court she has given completion of this brief a high priority status, and will work to complete it in a timely manner. The Respondent therefore

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**SC Court of Appeals**

requests the Court grant an extension of thirty (30) days in which to file the Initial Brief and Designation.

WHEREFORE, for these reasons, the Respondent respectfully requests that this Court grant a second extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

Respectfully submitted,

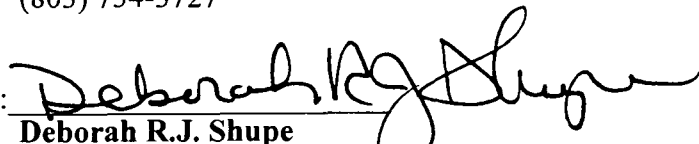
ALAN WILSON  
Attorney General

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(803) 734-3727

By:

  
**Deborah R.J. Shupe**  
Senior Assistant Deputy Attorney General

Attorneys for the Respondent

Columbia, South Carolina

August 13, 2012.

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**PROOF OF SERVICE**

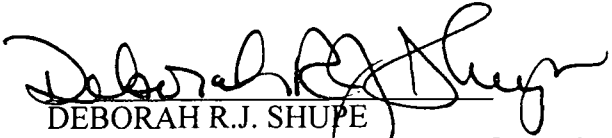
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I, Deborah R.J. Shupe, certify I served the Respondent's Motion for Second Extension on Appellant by depositing a copy in the United States mail, postage prepaid, addressed to:

LaNelle Cantey DuRant  
Assistant Appellate Defender  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-15892

I further certify all parties required by Rule to be served have been served.

This 13<sup>th</sup> day of August, 2012.

  
DEBORAH R.J. SHUPE  
Senior Assistant Deputy Attorney General

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