

ATB  
5th rec.  
CDD = 7/28/14  
FDD:  
FIDIGIL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Beaufort County  
Carmen T. Mullen, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

JUL 28 2014

SC Court of Appeals  
RESPONDENT,

THE STATE,

v.

JAMES SIMMONS JR.,

APPELLANT

APPELLATE CASE NO. 2013-002389

\_\_\_\_\_  
**PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER**  
\_\_\_\_\_

The undersigned counsel would respectfully request a **final** thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by four prior orders of this Court.
2. Counsel filed the petition for rehearing in the case of State v. Clarence Williams Jenkins in this Court on July 24, 2014. Counsel filed the petition for writ of certiorari to this Court in the case of State v. David Gerrard Johnson with the Supreme

Court on July 17, 2014. Counsel filed the Anders brief of appellant and designation of matter along with the Record on Appeal in the case of State v. Derrick Ladon Clark in this Court on July 17, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Dantonyo Heath in this Court on July 10, 2014. Counsel filed the petition for writ of certiorari to this Court in the case of State v. Jeffrey Dodd Thomas, with the Supreme Court on July 10, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kwaun Ka'Shawn Peay v. State in the Supreme Court on July 7, 2014. Counsel filed the petition for writ of certiorari to this Court in the case of State v. Julia Gorman with the Supreme Court on July 7, 2014. Counsel filed the petition for writ of certiorari in the case of State v. Quashon Middleton with the United States Supreme Court on July 1, 2014. Counsel filed the brief of petitioner in the case of Orlando Smith v. State with this Court in July 1, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jaymes M. Woods v. State with the Supreme Court on June 30, 2014. Counsel filed a petition for rehearing in the case of State v. Douglas Bret Bishop in this Court on June 26, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Samuel J. Jeter v. State in the Supreme Court on June 23, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ahmad Jamal Wilkins in this Court on June 20, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Morris C. Harris v. State in the Supreme Court on June 20, 2014. Counsel argued in the case of State v. Wayne Stewart Curry in this Court on June 11, 2014. Counsel filed the Anders brief of appellant and designation of matter along with the Record on Appeal in the case of State v. Shawn Ashley Barrett in

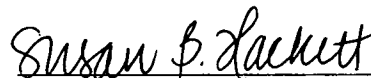
this Court on June 5, 2014. Counsel filed a petition for rehearing in the case of State v. Clarence Williams Jenkins in this Court on June 5, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Tyrone Whatley in the Supreme Court on June 3, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Derringer Young in the Supreme Court on June 2, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Wilton Q. Greene in this Court on May 28, 2014.

3. This request is made in good faith, and not for purposes of delay.

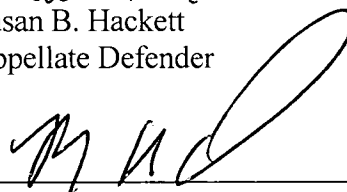
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final** thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

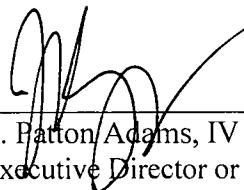
Respectfully submitted,



Susan B. Hackett  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender



T. Patton Adams, IV  
Executive Director or  
J. Hugh Ryan, III  
General Counsel

General Counsel

July 28, 2014.

I DO NOT OPPOSE:

*for* Deborah R. J. Shyne  
Salley W. Elliott, Esquire