

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
J. Ernest Kinard Jr., Circuit Court Judge

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SEP - 8 2015

S.C. Supreme Court

DUSTIN SIMMONS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000526

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

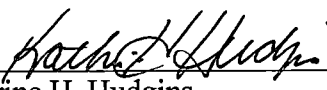
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. David Chiles Jr. with the Court of Appeals on August 26, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brian Garris v. State with this Court on August 26, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keion Griffin v. State with this Court on August 26, 2015.

Counsel filed the brief of petitioner in the case of Reginald Montgomery v. State with this Court on August 19, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Asheron Holloway v. State with this Court on August 11, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Channack Keam v. State with this Court on August 4, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gartharee Hinson with the Court of Appeals on July 27, 2015.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

September 8, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
J. Ernest Kinard Jr., Circuit Court Judge

DUSTIN SIMMONS,

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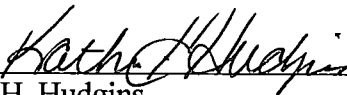
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000526

CERTIFICATE OF SERVICE

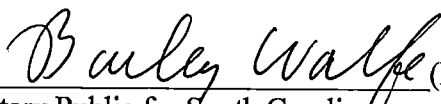
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon J. Clayton Mitchell, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 8th day of September, 2015.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 8th day of September, 2015.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 24, 2021 .