

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Honorable Doyet A. Early, III, Circuit Court Judge

CA No. 05-CP-18-1368
Appellate Case No. 2014-000387

KENNETH SIMMONS, SK5066. *Petitioner,*

v.

STATE OF SOUTH CAROLINA *Respondent.*

**PETITIONER'S MOTION FOR EXTENSION OF
TIME TO FILE PETITIONER'S BRIEF
AND ADDITIONAL COPIES OF THE APPENDIX**

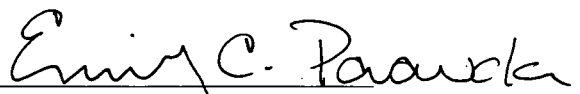
Petitioner, Kenneth Simmons, through undersigned counsel, for the reasons stated below, respectfully requests that this Court grant an extension of time for 30 days to file the Petitioner's Brief and additional copies of the Appendix presently due for filing on September 25, 2015. Undersigned counsel has begun work on the Petitioner's Brief and has prepared the necessary additional copies of the Appendix. However, in the past thirty days, counsel has been responsible for various matters in state and federal court, including filing of the Petitioner's Brief in *Stone v. South Carolina*, a capital PCR appeal pending before this Court, and preparations for an evidentiary hearing in *Bell v. South Carolina*, a capital PCR case addressing a claim under *Atkins v. Virginia*.

Moreover, Mr. Simmons' case concerns complex factual and legal issues that require thorough record review, research and analysis. Undersigned counsel reasonably believes that an extension is needed to thoroughly and accurately brief the issues in this case.

THEREFORE, for the reasons stated above, petitioner respectfully submits that an extension of time is warranted for good cause and requests thirty days, thus making Petitioner's Brief due on or before October 26, 2015.

Respectfully submitted,

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By: 
Counsel for Petitioner

September 22, 2015

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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Court of Common Pleas

Honorable Doyet A. Early, III, Circuit Court Judge

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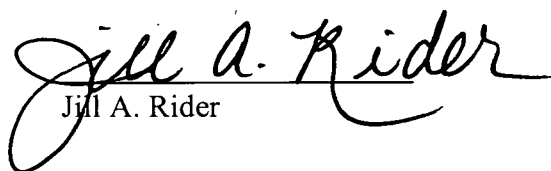
v.

STATE OF SOUTH CAROLINA *Respondent.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Petitioner's Motion for Extension of Time to File Petitioner's Brief and Additional Copies of the Appendix was served by first class United States mail, postage prepaid, this 22nd day of September, 2015, upon the following:

Donald J. Zelenka
Melody Brown
SC Attorney General's Office
P.O. Box 11549
Columbia, SC 29211


Jill A. Rider