

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

 ORIGINAL

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

RECEIVED

OCT 12 2015

DUSTIN SIMMONS,

S.C. Supreme Court
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 **final thirty day extension, until November 11, 2015**, 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. This extension was due October 8, 2015 but all state government offices were closed due to weather hazards. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jason Sanford v. State with the Supreme Court on September 30, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joshua Ray Greer v. State with the Supreme Court on September 25, 2015. Counsel filed the petition for

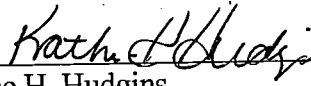
writ of certiorari and accompanying appendix in the case of Brian Gaines v. State with the Supreme Court on September 14, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lester Mosley with the Court of Appeals on September 11, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Julius Manigault with the Court of Appeals on September 10, 2015. 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 the Supreme 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 the Supreme Court on August 26, 2015. Counsel filed the brief of petitioner in the case of Reginald Montgomery v. State with the Supreme 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 the Supreme Court on August 11, 2015.

3. As indicated by his consent below, counsel for the state does not oppose this request.

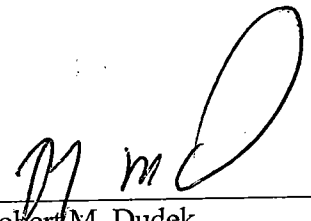
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until November 11, 2015**, in which to file the petition for writ of certiorari and accompanying appendix. 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



Robert M. Dudek
Chief Appellate Defender

October 12, 2015

I do not oppose:



J. Clayton Mitchell