

**THE SOUTH CAROLINA COURT OF APPEALS**

**Appellate Case No. 2015-001171**

**APPEAL FROM CHARLESTON COUNTY**

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**RECEIVED**  
NOV 09 2015  
SC Court of Appeals

**THE STATE**

**vs.**

**PHILIP SIMONEAUX, a/k/a  
PHILLIP GERALD SIMONEAUX**

**Appellant.**

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**MOTION TO FILE INITIAL BRIEF OUT OF TIME**

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Now comes the Appellant above and moves this Honorable Court as follows:

1. To allow the filing of the initial brief out of time for the following reasons:
  - A. The Appellant has sought a partial remand.
  - B. The undersigned Counsel had been engaged in a multi-defendant drug case in Federal Court as cited in the Motion To Extend The Filing Of The Record On Appeal.

**WHEREFORE** Appellant prays and moves that the initial brief and filing of the record on appeal be allowed to file out of time and set for November 24, 2015.

**AND IT IS SO MOVED THIS 5<sup>TH</sup> DAY OF NOVEMBER, 2015 AT CHARLESTON, SOUTH CAROLINA.**



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William L. Runyon, Jr., Esquire  
#3 Gamecock Avenue, Suite 303  
Charleston, SC 29407  
SC Bar No.: 4838  
(843) 571-3515

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

IN THE COURT OF APPEALS  
Appellate Case No.: 2015-001171

RECEIVED

THE STATE, )

NOV 09 2015

Vs. )


SC Court of Appeals

PHILIP SIMONEAUX, a/k/a )  
PHILIP GERALD SIMONEAUX )  
Defendant. )

CERTIFICATE OF MAILING

I William L. Runyon, Jr., Esquire, do hereby certify that on the 28<sup>th</sup> day of October, 2015, I served a copy of the **MOTION TO FILE INITIAL BRIEF OUT OF TIME APPEAL** on the Honorable Matthew Buchanan—Department of Probation, Parole & Pardon in the within matter, by mailing copies to each of them by way of the United States Mail, with sufficient postage attached thereto and addressed as follows:

Honorable Matthew Buchanan  
General Counsel  
Department of Probation, Parole & Pardon  
P. O. Box 50666  
Columbia, SC 29250

  
William L. Runyon, Jr., Esquire  
#3 Gamecock Avenue, Suite 303  
Charleston, SC 29407  
SC Bar No.: 4838  
(843) 571-3515

Dated this 5<sup>th</sup> day of November, 2015  
in Charleston, South Carolina.



# William L. Runyon, Jr.

Attorney At Law

#3 Gamecock Avenue, Suite 303  
Charleston, SC 29407

Telephone: (843) 571-3515 Facsimile: (843) 766-5085

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NOV 09 2015

SC Court of Appeals

November 5, 2015

Honorable Jenny Kitchens  
Clerk of South Carolina Court of Appeals  
1015 Sumter Street  
P. O. Box 11629  
Columbia, SC 29211

RE: State of South Carolina v. Philip Simoneaux, a/k/a Philip Gerald Simoneaux  
Appellate Case No.:2015-001171

Dear Ms. Kitchens:

Enclosed please find **MOTION TO FILE INITIAL BRIEF OUT OF TIME** together with **CERTIFICATE OF MAILING** in the above referenced matter. Please file originals and return certified copies to me in the stamped-self addressed envelope for your convenience.

Thanking you, I remain

Sincerely,

  
William L. Runyon, Jr.

WLR, JR. / bb

Enclosure

Cc: Honorable Matthew Buchanan