

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Beaufort County

Honorable Roger L. Couch, Circuit Court Judge

LUCIUS SIMUEL,

PETITIONER,

V.

THE STATE,

RESPONDENT

APPELLATE CASE NO 2016-001607

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

The undersigned counsel respectfully requests a thirty day extension, **until March 10, 2017**, 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 petition for writ of certiorari and accompanying appendix in the case of DeAngelo Mitchell v. The State of South Carolina in the Supreme Court on February 6,


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2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurice Wilson v. The State of South Carolina in the Supreme Court on February 6, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Theia Darion McArdle with the Court of Appeals on January 27, 2017. Counsel filed the petition for rehearing in the case of The State v. John Henry Lowery with the Court of Appeals on January 26, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Sara Elizabeth Hodson with the Court of Appeals on January 24, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Antonia Spratt v. The State of South Carolina in the Supreme Court on January 20, 2017. Counsel filed the petition for certiorari to the Court of Appeals in the case of The State v. Daniel Martinez Herrera with the Supreme Court on January 19, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyris B. Glover v. The State of South Carolina in the Supreme Court on January 12, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Hassan Tyler with the Court of Appeals on December 16, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Roberts v. The State of South Carolina in the Supreme Court on December 16, 2016.

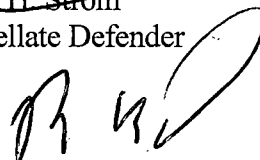
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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,



John H. Strom  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

February 8, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Beaufort County

Honorable Roger L. Couch, Circuit Court Judge

LUCIUS SIMUEL,

PETITIONER,

V.

THE STATE,

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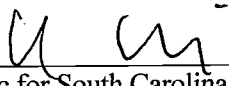
CERTIFICATE OF SERVICE

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 Ruston Nealy, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 8<sup>th</sup> day of February, 2017.

  
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John H. Strom  
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 8<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires: May 12<sup>th</sup>, 2025.