

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Barnwell County

Honorable Robert E. Hood, Circuit Court Judge

JOSEPH O'NEIL SIMMONS,

RECEIVED
JUL 07 2017
S.C. SUPREME COURT
PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2016-002502

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

The undersigned counsel respectfully requests a **final thirty day extension, until August 7, 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 in Ortavious Mitchell v. State with this court July 3, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in In the matter of the care and treatment of Calvin Joe Miller with this Court on June 29, 2017. Counsel filed the initial brief of appellant in State v. Auston Breazeal with the Court of Appeals on June 23, 2017. Counsel had oral argument in the case of State v. Desmond Green

with the Court of Appeals on June 21, 2017. Counsel filed the petition for writ of certiorari in Thomas Geddie v. State with this Court on June 8, 2017. Counsel filed the initial brief of appellant in State v. Anthony M. Enriquez with the Court of Appeals on June 7, 2017. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in State v. Stephon Robinson with this Court on May 24, 2017. Counsel filed the Johnson petition for writ of certiorari in the case of Darrin Graham v. State with this Court on May 24, 2017. Counsel filed the petition for writ of certiorari in Kevin Casey v. State with this Court on May 17, 2017.

3. As indicated by her 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 August 7, 2017**. 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,



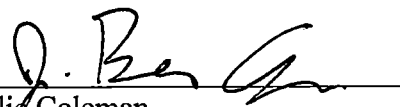
Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

July 7, 2017

I do not oppose:



Julie Coleman