

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

RECEIVED

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Appeal from Richland County

JUL 12 2017

R. Knox McMahon, Circuit Court Judge  
\_\_\_\_\_

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MICHAEL SCOTT SIMMONS,

APPELLANT

APPELLATE CASE NO. 2016-001975  
\_\_\_\_\_

**PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER**  
\_\_\_\_\_

The undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.

2. Counsel filed the brief of petitioner In the Matter of the Care and Treatment of Kenneth Campbell in the Supreme Court on July 10, 2017. Counsel was a guest speaker at the Blues, BBQ & Bar CLE on July 7, 2017, in Greenwood, South Carolina, sponsored by the South

Carolina Association of Criminal Defense Lawyers. Counsel filed the brief of petitioner in the case of State v. James Simmons, Jr. in the Supreme Court on July 6, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brittany Epps in this Court on June 29, 2017. Counsel filed the petition for rehearing in the case of State v. Shane Adam Burdette in this Court on June 22, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Spann v. State in the Supreme Court on June 16, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Jeremy Seldon Brady in this Court on June 14, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald Yates Hyatt in this Court on June 5, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Edward Chandler in this Court on May 30, 2017. Counsel filed the brief in opposition in the case of State v. Alexander Hunsberger in the United States Supreme Court on May 22, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Christopher Moore in this Court on May 19, 2017.

3. This request is made in good faith, and not for purposes of delay.

4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

Susan B. Hackett

Susan B. Hackett  
Appellate Defender

RM Dudek

Robert M. Dudek  
Chief Appellate Defender

July 12, 2017

I DO NOT OPPOSE:

Alvin Harrison Jameson  
J. Benjamin Aplin, Esquire