

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Richland County

R. Knox McMahon, Circuit Court Judge

RECEIVED

AUG 11 2017

SC Court of Appeals
RESPONDENT,

THE STATE,

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 **final thirty-day extension until September 11, 2017** 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 three prior orders of this Court.
2. Counsel filed the reply to return to petition for writ of certiorari in the case of William McCladdie v. State on August 4, 2017. Counsel filed the Anders brief of appellant and


Record on Appeal in the case of State v. Keylan Durham in this Court on August 3, 2017. Counsel spoke at the Summary Court Judge's Orientation on July 27, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Robert Reeves in this Court on July 26, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Michael Paul Buckmon in this Court on July 25, 2017. Counsel represented Thomas Shewtzuk at the reconstruction hearing in the case of State v. Thomas Robert Shewtzuk at the Dorchester County Courthouse on July 17, 2017. Counsel filed the return to motion to dismiss in the case of State v. Jake Lake in this Court on July 20, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Chapman v. State in the Supreme Court on July 17, 2017. Counsel filed the petition for rehearing in the case of State v. Dennis E. Cervantes-Pavon in this Court on July 13, 2017. 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.

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

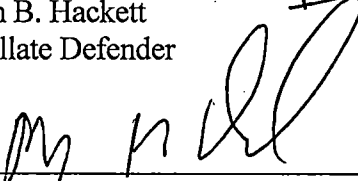
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until September 11, 2017** 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.

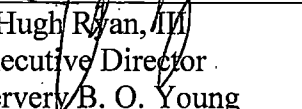
Respectfully submitted,



Susan B. Hackett
Appellate Defender



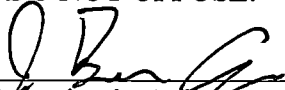
Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

August 11, 2017

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire