

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Brian M. Gibbons, Circuit Court Judge

THE STATE,

v.

ADRIAN VASHARD SIMMONS,

APPELLANT

APPELLATE CASE NO. 2017-000821

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Adrian Vashard Simmons respectfully requests an extension of a **final thirty (30) days, until January 8, 2018** in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Adrian Vashard Simmons respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jamie L. Strom with the Court of Appeals on November 29, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Christopher Jermaine Wells with the Court of Appeals on November 22, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Kristopher Wilmont Berry with the Supreme Court on November 17, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Elijah A. Brown with the Supreme Court on November 16, 2017. Counsel filed the Return to Petition for Writ of Certiorari in the case of The State of South Carolina v. Robert Eugene Shaver with the Supreme Court on November 15, 2017. Counsel had an oral argument in the case of The State v. Stephen Smalls before this Court on November 14, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Demetrius D. Smalls with the Supreme Court on November 13, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Timothy Donald Dingle with the Supreme Court on November 13, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Michael N. Frasier with the Court of Appeals on November 7, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jose Reyes Reyes with the Court of Appeals on November 2, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Kevin Shane Epting with the Supreme Court on October 30, 2017. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State of South Carolina v. Preston Ryan Oates with the Supreme Court on October 2, 2017. Counsel filed the Petition for Writ of

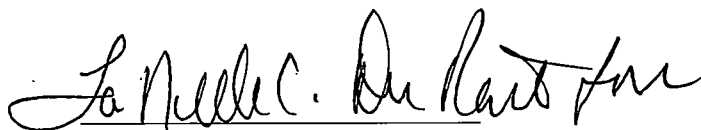
Certiorari and Appendix in the case of The State of South Carolina v. Jalon Ted Taylor with the Supreme Court on October 2, 2017.

4. Counsel makes this request in good faith and not for purpose 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.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

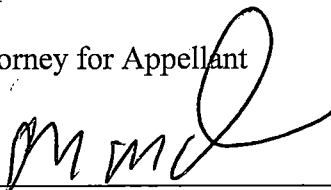
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until January 8, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

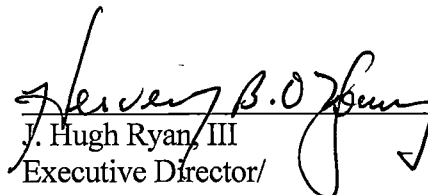


Kathrine H. Hudgins
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



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

This 8th day of December, 2017.

I consent:



J Benjamin Aplin, Esquire