

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Horry County
William H. Seals, Circuit Court Judge

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AUG 24 2018

S.C. SUPREME COURT

DEVANTE SIMMONS,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-000150

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR
WRIT OF CERTIORARI AND APPENDIX

Counsel for Devante Simmons respectfully requests a **final thirty (30) day extension, until September 24, 2018**, in which to file the Petition for Writ of Certiorari and Appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The Petition for Writ of Certiorari and Appendix are due to be served and filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Devante Simmons respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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 petition for writ of certiorari and accompanying appendix in the case of Jermaine Cobbs v. State in the Supreme Court on August 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nathaniel McMillian v. State in the Supreme Court on August 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brittany Lewis v. State in the Supreme Court on August 13, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Reagan v. State in the Supreme Court on August 6, 2018. Counsel filed the petition for rehearing in the case of State v. Joe Ross Worley in the Court of Appeals on August 1, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Bell v. State in the Supreme Court on July 30, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Radu Renciu v. State in the Supreme Court on July 23, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jason Boston v. State in the Supreme Court on July 11, 2018. Counsel filed the brief of petitioner in the case of Frederick R. Chappell v. State in the Court of Appeals on June 28, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kendal Jones v. State in the Supreme Court on June 25, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Preston Morse v. State in the Supreme Court on June 25, 2018.

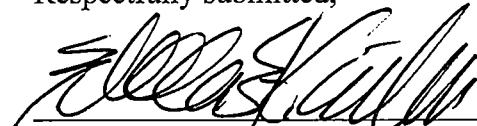
4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office has been informed of this request as shown by signature below.

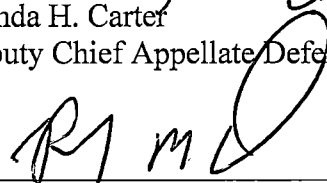
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until September 24, 2018**, in which to file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

This 24th day of August, 2018.

Respectfully submitted,




Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

I consent:

for 
Johnny Ellis James, Jr., Esquire