

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Certiorari to Aiken County  
R. Scott Sprouse, Circuit Court Judge

---

LEON JACOB SIMMONS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001085

---

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

---

Counsel for Leon Jacob Simmons respectfully requests an extension of thirty days 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 second 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.
2. Counsel for Leon Jacob 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.

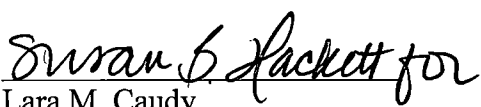
ORIGINAL  
RECEIVED  
NOV 21 2018  
S.C. SUPREME COURT

3. On November 16, 2018, counsel filed the petition for writ of certiorari and accompany appendix in Gene Tony Cooper v. The State with the Supreme Court. On November 2, 2018, counsel filed the brief of petitioner in Timothy Allen Lemacks v. The State with the Court of Appeals. On October 31, 2018, counsel filed the Anders brief of appellant and record on appeal in The State v. Tony Nevail Myers with the Court of Appeals. On October 9, 2018, counsel had an oral argument in The State v. Felix Kotowski before the Court of Appeals. On October 4, 2018, counsel filed the initial brief of appellant and designation of Matter in The State v. Colette Adriane Collins with the Court of Appeals. On October 1, 2018, counsel testified by telephone in the post-conviction relief case of Jonathan Brown v. The State before the circuit court. From September 24, 2018 through September 26, 2018, counsel attended the annual Public Defender Conference in Myrtle Beach. On September 21, 2018, counsel filed the initial brief of appellant and designation of matter in The State v. Theodore Glover with the Court of Appeals. On September 17, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in Jerell Jackson v. The State with the Supreme Court. On August 30, 2018, counsel filed the petition for writ of certiorari and accompanying Appendix in Roderick Germaine Wynn v. The State with the Supreme Court. On August 24, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in Nehemiah J. Evans v. The State with the Supreme Court. On August 20, 2018, counsel filed the Anders brief of appellant and record on appeal in The State v. Andrew Allston Kirkland with the Court of Appeals. On August 9, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in James R. Glisson, Jr. v. The State with the Supreme Court.

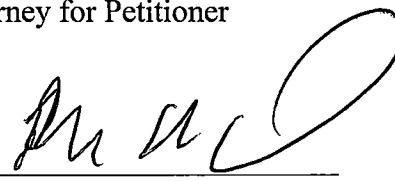
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, 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.

Respectfully submitted,

  
Lara M. Caudy  
Appellate Defender

Attorney for Petitioner

  
Robert M. Dudek  
Chief Appellate Defender

November 21, 2018

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Certiorari to Aiken County  
R. Scott Sprouse, Circuit Court Judge

---

RECEIVED

NOV 21 2018

S.C. SUPREME COURT

LEON JACOB SIMMONS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,


RESPONDENT

---

CERTIFICATE OF SERVICE

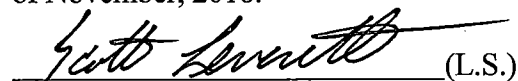
---

I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Megan H. Jameson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 21st day of November, 2018.

  
Lara M. Caudy  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 21st day  
of November, 2018.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: September 27, 2028.