

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Beaufort County

Roger L. Couch, Circuit Court Judge

LUCIUS SIMUEL,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

**PETITION FOR EXTENSION TO FILE
BRIEF OF PETITIONER**

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

1. The brief of petitioner in this case is due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Angela D. Brewer in this Court on December 31, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Brian Z. Morton v. State in the Supreme Court on December 27, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Donald R. Dollard v. State in the Supreme

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Court on December 17, 2018. Counsel filed a petition for rehearing in the case of State v. Marcus Channing Johnson in this Court on December 14, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Halden Lamont Hollman v. State in the Supreme Court on December 12, 2018. Counsel testified during a PCR hearing at the Charleston County Courthouse in the case of Alan L. Burns v. State of South Carolina on December 4, 2018. Counsel had an oral argument in the case of State v. Stacy Carol Riden with in this Court on December 3, 2018. Counsel was a guest speaker at the 2018-2019 Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30, 2018. Counsel filed the brief of petitioner in the case of Mykel Johnson v. State in this Court on November 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Demontay Payne in this Court on November 26, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Lamont Owens v. State in the Supreme Court on November 26, 2018. Counsel was a guest speaker at the Public Defense 101: Fundamentals of the Profession 101 seminar on November 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shawn Reaves v. State in the Supreme Court on November 14, 2018. Counsel filed the reply brief of petitioner in the case of Eric Darien v. State in the Supreme Court on November 9, 2018. Counsel had an oral argument in the case of State v. Michael Scott Simmons with the Supreme Court on November 7, 2018.

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

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

Respectfully submitted,

Susan B. Hackett

Susan B. Hackett
Appellate Defender

January 2, 2019

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IN THE COURT OF APPEALS

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PETITIONER,

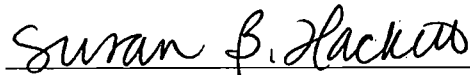
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies the petition in which to file the brief of petitioner in the above referenced case has been served upon Ruston Neely, Esquire, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 2nd day of January, 2019.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 2nd day of January, 2019.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: May 12, 2027