

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Beaufort County
Roger L. Couch, Circuit Court Judge

ORIGINAL

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FEB 01 2019

SC Court of Appeals
PETITIONER,

LUCIUS SIMUEL,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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

The undersigned counsel would respectfully request a **third and final** extension of thirty (30) days **until March 4, 2019**, 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 two prior orders of this Court.
2. Counsel had an oral argument in the case of State v. Dennis Elvin Cervantes-Pavon with the Supreme Court on January 31, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Edward Isaiah Nelson in this Court on January 28, 2019. Counsel filed a petition for rehearing in the case of State v. Carmine James Miranda, III in this Court on January 22, 2019. Counsel filed the petition for writ of certiorari, the Johnson

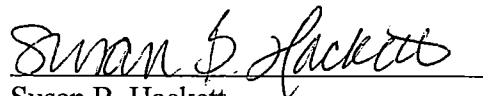
petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of George A. Jones v. State in the Supreme Court on January 18, 2019. Counsel filed the return to petition for writ of certiorari in the case of Daggart B. Frazier v. State in the Supreme Court on January 14, 2019. Counsel filed a petition for writ of certiorari to this Court in the case of State v. Benjamin Cervantes Hernandez in the Supreme Court on January 7, 2019. Counsel filed a petition for rehearing in the case of State v. Robert Davis Smith, Jr. in this Court on January 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Arthur Jason Bowers in this Court on January 3, 2019. 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 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 this Court on December 3, 2018.

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

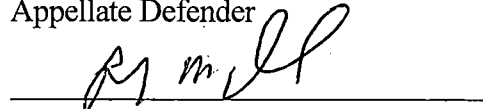
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **third and final** extension of thirty (30) days **until March 4, 2019**, 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,

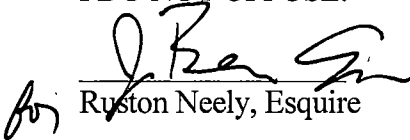


Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

February 1, 2019
I DO NOT OPPOSE:


Ruston Neely, Esquire