

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Roger M. Young, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DASHAUN LIVAUGHN SIMMONS,

APPELLANT

Appellate Case No. 2018-001128

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

Counsel for Dashaun Livaughn Simmons respectfully requests a **final extension of thirty (30) days, until September 13, 2019**, 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. 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 four previous extensions.
2. Counsel for Dashaun Livaughn 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 his 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 v. Darrell Eugene Blackwell with this Court on Monday, August 12, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sylvester Keejuan King v. The State with the Supreme Court on Friday, August 9, 2019. Counsel filed the petition for rehearing in the case of The State v. John M. Ghent, Jr., with this Court on Thursday, August 8, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shana Robinson v. The State with the Supreme Court on July 31, 2019. Counsel filed the petition for rehearing in the case of The State v. Ahshaad Mykiel Owens with this Court on July 25, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Abin Lee Lowman with this Court on July 24, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Andre Nicholas Crawford with this Court on July 15, 2019. Counsel filed the petition for rehearing in the case of The State v. Jalann Williams with the Supreme Court on July 1, 2019. Counsel prepared a PowerPoint on Record Preservation and Making a Record and was on the faculty of the Public Defense 103 training in Greenville, South Carolina on July 1-3, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Karacus K. Freeman v. The State with the Supreme Court on June 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kwamaine Jarelle Ross with this Court on June 21, 2019. Counsel had oral argument in the case of The State v. Robert Lee Moore before the Supreme Court on June 10, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender. Counsel also has to discuss the cases of three inexperienced Appellate Defenders with them in advance and**

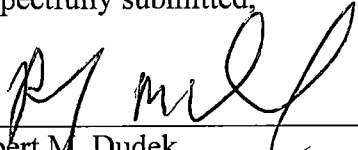
read all of their filings in advance. Counsel also has many administrative duties, Appellate Project oversight duties, and he has been interviewing for open staff positions as well. Counsel regrets the necessity of this extension request, but it is absolutely necessary under the circumstances.

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.

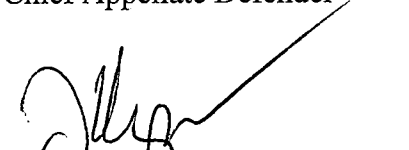
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until September 13, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



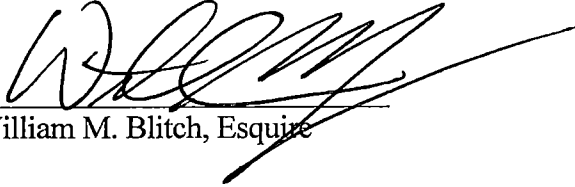
Robert M. Dudek
Chief Appellate Defender



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

This 14th day of August, 2019.

I consent:

A handwritten signature in black ink, appearing to read 'William M. Blich', written over a horizontal line. The signature is stylized and cursive.

William M. Blich, Esquire