

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable R. Markley Dennis, Circuit Court Judge

RECEIVED

Dec 01 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANTONIO O. SIMMONS,

APPELLANT

APPELLATE CASE NO. 2020-000088

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

Counsel for Antonio O. Simmons respectfully requests a **fourth and final thirty (30) day extension, until January 4, 2021**, in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Antonio O. 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Frazier Singleton with this Court on November 13, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tavis Colston with this Court on November 9, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Antonio R. Lee with this Court on October 30, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lavond Tayano Keitt with this Court on October 12, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Andre Deshawn Posey with this Court on September 16, 2020. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Shaquille Dozier with this Court on September 4, 2020.

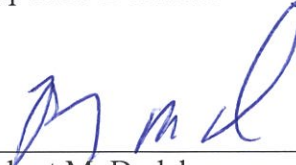
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the thirty day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through December 31, 2020. That emailed general consent was dated November 24, 2020.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension, until January 4, 2021**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

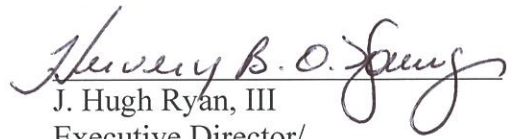
Respectfully submitted,

s/ Victor R. Seeger
Victor R. Seeger
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 1st day of December, 2020.



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

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable R. Markley Dennis, Circuit Court Judge

RECEIVED

Dec 01 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANTONIO O. SIMMONS,

APPELLANT

APPELLATE CASE NO. 2020-000088

CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension of Time in which to File the Initial Brief of Appellant and Designation of Matter in the above-referenced case have been served upon William M. Blicht, Jr., Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 1st day of December, 2020.

s/ Victor R. Seeger
Victor R. Seeger
Appellate Defender

ATTORNEY FOR APPELLANT