

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

Appeal from the Administrative Law Court
Shirley C. Robinson, Administrative Law Judge

Opinion No. 2022-UP-071 (S.C. Ct. App. filed 2/16/22)
Appellate Case No. 2022-000442

NATHANIEL JOHNSON, JR.,

PETITIONER,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

RETURN TO PETITIONER'S MOTION FOR JUDGMENT BY DEFAULT

On July 11, 2022, Petitioner submitted and served a Motion for Judgment by Default in this appeal. In his Motion, Petitioner states that he (as of that date – July 11, 2022) did not receive a motion for extension of time for the filing of Respondent's Return to his Petition for a Writ of Certiorari. However, Respondent's Return to the Petition for Writ of Certiorari was, in fact, due on July 11, 2022, and Respondent submitted a request for an extension on that same date. A copy of the request for an extension was mailed to Petitioner on that date. This Court issued an order granting the extension request and extending the deadline for the Respondent's Return until August 1, 2022. Accordingly, the Motion for Judgment by Default should be denied, along with Petitioner's requests for "liquidated damages" and fees.

CONCLUSION

For the reasons set forth above, Respondent respectfully requests that this Court deny Petitioner's Motion for Judgment by Default.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT
OF CORRECTIONS**



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