

State Of South Carolina
In The Court Of Appeals

Michael J. Ferola # 291941

Appellant

2013-000736

-VS-

Appellate Case Number

South Carolina Department Of Corrections

RECEIVED

Respondent(s)

MAY 30 2013

SC Court of Appeals

Motion To Accept Appellant
Designation Of Matter Out
Of Time

Now comes the appellant AND pursuant to rule 240 SCACR request this Honorable Court Accept the Designation of matter in the above case out of time. Appellant would show the following in support hereof;

- a) Appellant is a prisoner and unfamiliar with the rules of this court, and unintentionally missed the deadline.
- (b) Appellant believes his likelihood of success on appeal is substantial and would suffer a prejudice if not allowed to file said Designation of matter out of time.
- c) Respondents would suffer no prejudice if this court accepts said Designation of matter out of time, as they didn't cross appeal.

Wherefore, Appellant respectfully request this Honorable Court accept said Designation out of time AND set said appeal on the courts docket.

To: Honorable Kaye G. Harsh
Chief Judge S.C. Court Of Appeals.
1015 Sumter St
Columbia, S.C. 29211-1629

RE: Ferola v SCDC et al
Appellate Case No # 2013-000736

Subject: Clerk's letter dated 5-21-13

May 28, 2013

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MAY 30 2013

SC Court of Appeals

Dear Your Honor,

On 5-24-13 I received a letter from the clerk stating I had to file a motion under rule 209 SCACR asking the court to accept my designation of matter out of time.

I have no idea what the clerk is requesting and I've been (10) days to file. My brief I filed on 4-26-13 seeks to have a granting of Summary Judgment Reversed.

I am a prisoner not a lawyer and therefore would request this court accept this letter as my motion to accept my designation of matter out of time and hear my initial brief.

As always your time is appreciated.

cc: David Tatasky - legal counsel

Sincerely

Michael J. Ferola